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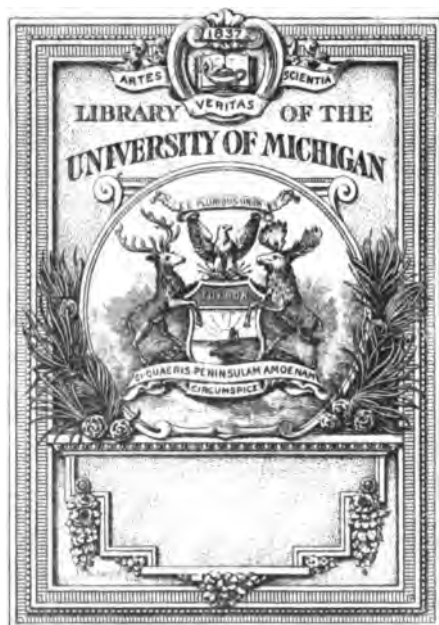
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THE  
**PARLIAMENTARY DEBATES**

AUTHORISED EDITION.

**FOURTH SERIES:**

COMMENCING WITH THE SECOND SESSION OF THE TWENTY-FIFTH PARLIAMENT

OF THE

UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

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**57 VICTORIÆ.**

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**VOLUME XII.**

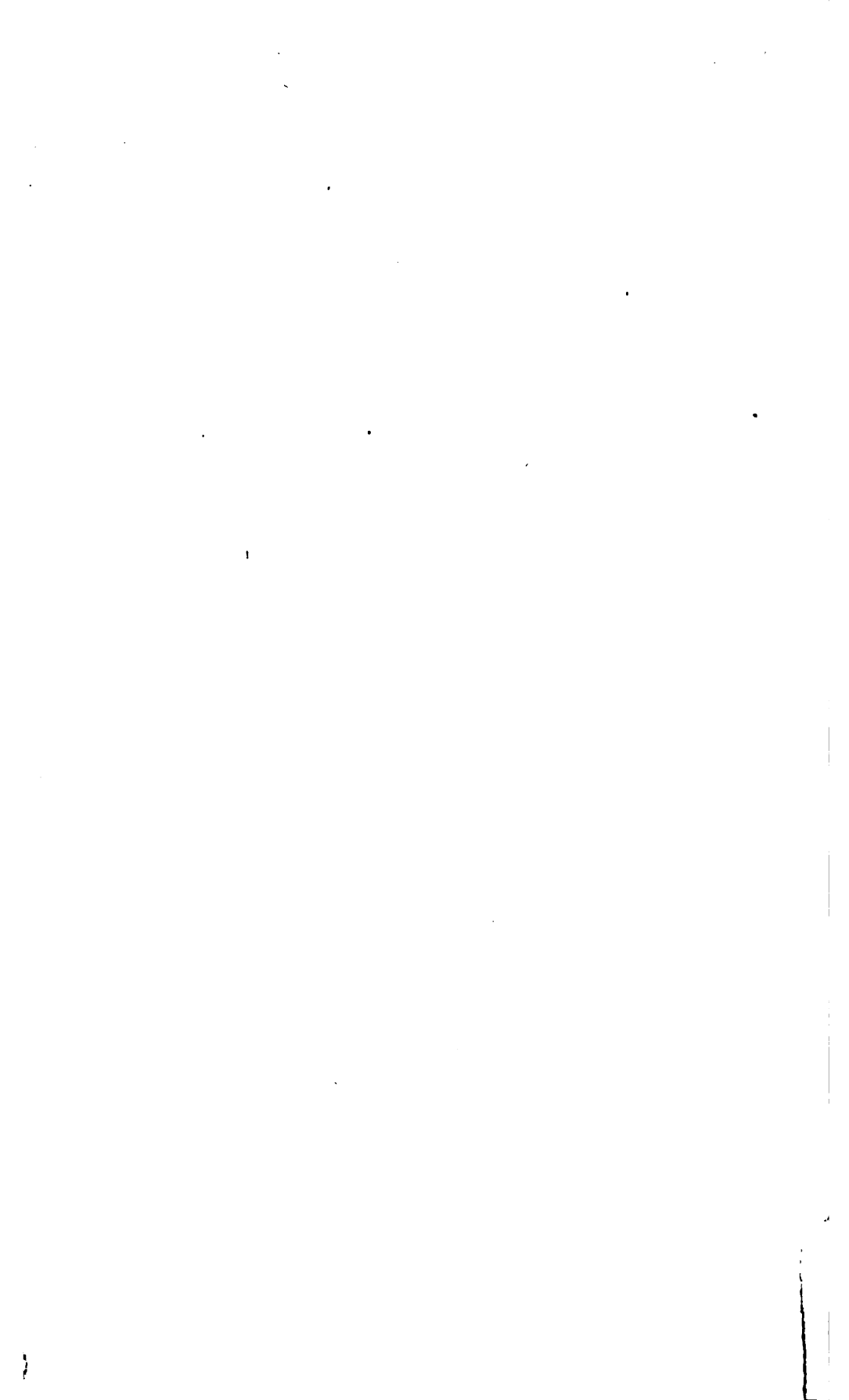
COMPRISING THE PERIOD FROM  
THE FOURTH DAY OF MAY  
TO  
THE FIRST DAY OF JUNE,  
**1893.**

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EYRE AND SPOTTISWOODE,  
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1893.



# THE PARLIAMENTARY DEBATES

(Authorised Edition)

IN THE

SECOND SESSION OF THE TWENTY-FIFTH PARLIAMENT OF  
THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND  
APPOINTED TO MEET 4 AUGUST 1892, IN THE FIFTY-SIXTH YEAR OF  
THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF SESSION 1893.

## HOUSE OF LORDS,

*Thursday, 4th May 1893.*

Several Lords—Took the Oath.

His Royal Highness the Duke of  
Connaught and Strathearn—Singly took  
the Oath.

### BUSINESS OF THE HOUSE.

Leave given to the Lord Tyrone (M.  
Waterford) to speak sitting during the  
present Session.

MADRAS AND BOMBAY ARMIES BILL  
[H.L.]—(No. 66.)

### SECOND READING.

Order of the Day for the Second Read-  
ing, read.

\*THE LORD PRESIDENT OF THE  
COUNCIL AND SECRETARY OF  
STATE FOR INDIA (The Earl of  
KIMBERLEY): My Lords, in moving the

VOL. XII. [FOURTH SERIES.]

Second Reading of a Bill which relates  
to the very important Indian question of  
the organisation of the Armies of two of  
the Presidencies, I cannot help being  
painfully reminded of the loss which the  
House has sustained by the death of  
Lord Derby, who was the first Secretary  
of State for India after the government  
of that country was placed under the  
immediate control of the Crown. We  
all, I think, feel that the wide experience  
of public affairs possessed by my  
lamented Friend, his extreme insight into  
every question which he touched, the  
singular impartiality of his mind, together  
with his, I may say, almost unequalled  
power of stating the arguments on both  
sides of any question with the utmost  
clearness and fairness—all those qualities  
made every one of his public utterances  
peculiarly valuable to the minds of all  
who heard them. There may be others  
more eloquent, others who have exercised  
a greater influence in our political con-  
tests; but I think it will be a long time  
before this country will find an adviser at  
once so wise, so calm, and so impartial,

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My Lords, after those few words, which I could not avoid saying on an occasion such as this, I pass to the Bill to which I ask your Lordships to give a Second Reading, and I will, in the first place, give a short history of this question. Some of your Lordships are well acquainted with the various Despatches which for years past have passed backwards and forwards between India and this country on the subject; but many of your Lordships may not have been attracted by the very bulky Blue Books which have been laid on the Table, and therefore I shall state exactly what has occurred. In 1879 a very important Commission was issued to inquire into the whole question of the organisation of the Indian Armies. That Commission was proposed by the Government of India when the late Lord Lytton was Viceroy, and the issue of that Commission was cordially approved by the noble Earl opposite, who was then Secretary of State for India. The succeeding Viceroy, my noble Friend below me, sent home a Despatch in April, 1881, in which he recommended that the proposals of the Commission should be adopted. Those proposals were of a far-reaching character, dealing as they did with the whole question of the organisation of the Armies in India. It fell to my lot about two years afterwards to answer that Despatch. Your Lordships may perhaps remember that two years ago there was some discussion in this House upon that subject, and reference was made to the Despatch which was sent out by me and which did not approve of the proposals of my noble Friend's Government. The reasons were very fully stated in that Despatch, and I do not think it is necessary that I should go into them now at length. The objections we raised were, shortly, that we thought it was desirable to continue what were commonly termed the water-tight compartments of our system—namely, the separate organisation of the Bombay and Madras Armies, under the Bombay and Madras Governments. We doubted also the financial saving which my noble Friend anticipated; but I confess I was also greatly influenced by the fact that, having consulted the best military opinion I could obtain from a number of officers well acquainted with Indian military affairs, I found that their opinions were so nicely

*The Earl of Kimberley*

balanced that I did not think I could go before Parliament and ask for effect to be given to the proposed legislation for the government of India. I will recur, in a moment, to the position I then took up. But, to complete the history of the matter, I may mention that in 1885 another Despatch on the subject came from the Government of India, repeating its application to the Government at home to deal with this matter; and Lord Randolph Churchill, the then Secretary of State for India, made answer that he did not see his way to legislate on the subject. But the Government of India was not to be deterred, and they returned to the matter again in 1888, when Lord Dufferin was Viceroy. In 1889, also, when Lord Lansdowne was Viceroy, another Despatch was sent home, repeating the application, and from these Despatches, which have been laid upon the Table, I will read one or two extracts. I will not go so far back as the Despatch of my noble Friend the Marquess of Ripon; but, in 1888, Lord Dufferin wrote thus—

“It will be seen that only a small remnant remains of the old Presidential system; nevertheless, as far as it exists, it is harmful. . . . We submit to your Lordship our earnest and deliberate opinion that the time has come when what still remains of the Presidential system should be finally abolished.”

And he ended by saying—

“We desire to re-assert in the strongest way our sense of the importance of maintaining the separate constitution and segregation of the different local Armies”

—and showing that it was not their intention to remove the safeguards which existed under the present system. Lord Lansdowne in his Despatch was not less urgent. He had brought the matter before the noble Viscount, who was my immediate predecessor, and the noble Viscount in a Despatch, to which I will presently refer, found himself unable to accept the proposals made to them. The noble Viscount (Lord Cross) found himself unable to accept the proposals made at the time, and he wrote as follows in a Despatch of May 30, 1889:—

“Though I am unable to give effect to the measures proposed so as to fully meet this evil, I am far from ignoring it, and am desirous of affording a cordial support to your Government in endeavouring to reduce it to a minimum.”

The noble Viscount then suggested various minor changes which might be

made, which would remove some of the difficulties which arose from the existence of the Presidential system as it is termed, and many of those changes have since been carried into effect. At that time the noble Viscount recommended, I think, that the Clothing and Commissariat Departments should both be placed under the Central Government, and also, possibly, the Military Works Department. The noble Viscount added, with reference to the measures proposed—

“I believe they go far towards that consolidation of military control which, as distinguished from mere centralisation, I conceive to be necessary for the full and adequate employment of Her Majesty's forces in India.”

On receiving that Despatch, Lord Lansdowne, on July 5, 1889, wrote as follows :—

“We desire once again to place before Her Majesty's Government our conviction that it would be a misfortune of the greatest moment if this amendment of the military administration, which we consider to be essential to the efficiency of the Army of this country, should not be carried out in the breathing time of peace which we fortunately now possess.”

I have referred to those reiterated statements, because they show that the Government of India have held the strongest opinion that the proposals of the Commission of 1879 should in some form or other be adopted. In the 26th paragraph of the Despatch, which has been laid upon the Table, your Lordships will find that the Government of India say—

“We have already indicated that the administrative departments of the Army have been organised in anticipation of the change,”

and state that the Military Accounts, Ordnance, Commissariat, Military Works, and Clothing Departments are now organised for the whole of India. They also recommend that the Medical Departments should be amalgamated. Therefore, your Lordships will see that it is but a remnant of the old system which yet exists. I had myself suggested in a Despatch to Lord Ripon that it might be possible, without adopting the whole of the proposals of the Commission, to minimise the evils complained of by amalgamating some of the Departments. That policy has been proceeded with since; and the result is, that now practically all the different Departments are placed under one administration, always, of course, reserving the genera-

control over the Army possessed by the Madras and Bombay Governments. But the evil has been brought to a minimum, because all the Departments are now under the control of the Central Government. It now only remains, to give effect to the recommendations of the Commission, that we should pass the necessary Bill in order to take from the Governments of Bombay and Madras their separate power and control over the two Armies. The evils of that separate control had been set forth, as I have stated, by Government after Government as well as by the Commission. They may have been exaggerated, but that they exist there can be no doubt, because every order which has to be given has to go through the Governments of Bombay and Madras, and I need scarcely say that that gives rise to a considerable amount of delay and friction. It necessarily greatly impedes the speedy transaction of business, which is perhaps more important in reference to military matters and dealing with an Army than in any other Department of the State. The measure which I have laid on the Table is a very simple one. It proposes to repeal those Acts which give the control of the Armies of Bombay and Madras to the Governments of those Presidencies, and, with the exception of one clause, the whole of the Act consists of that repeal. I know that it has been thought by some that this may result in centralisation of an objectionable kind. I will point out to my noble Friend below the Gangway (the Earl of Northbrook), who has, I know, this question in his mind, that in some instances of administration, such as Courts Martial, there is in the Army Act power given to the Commander-in-Chief to delegate to the officers who have command at Bombay and Madras authority to exercise all the powers that would belong to him after this Bill has passed. There is, therefore, no special reason to take objection on that ground, but I shall be quite ready to meet any further points that may be raised in this respect when the Bill reaches the Committee stage. There remains one other clause to which I ought to refer, and that is the clause which prevents the officers in command of the Bombay and Madras Armies from being any longer members of the Council. The Government of India have varied in their opinion on this matter. Originally, the Commis-

sion of 1879 recommended that those officers should not sit in the Council. Subsequently, Lord Dufferin gave expression to the opinion that he saw no reason why they should not sit in the Council, and your Lordships will find the same opinion expressed in the Despatch laid on the Table. I may naturally be asked, therefore, why this clause is to be found in the Bill. My answer is, in the first place, that I find that the whole of my advisers, both civil and military, are strongly of opinion that it is undesirable the Commanders of the Armies of Madras and Bombay should continue to sit in the Council. They consider it would have no beneficial effect, inasmuch as the Governments would cease to have control of the Armies, and they are of opinion that much friction might from time to time be occasioned from the presence of the Commanders of those Armies in the Council. On the whole, I thought the arguments predominated on that side. Your Lordships will see that if this new state of things is to be created there is really no more reason why the Lieutenant Generals commanding the Bombay and Madras Armies should sit in the Bombay and Madras Councils than the Lieutenant Generals commanding the Armies in Bengal or in the North-West Provinces should sit in the Councils in those places. We therefore considered that it was better to put all the Lieutenant Generals on the same footing; and for that reason consulted the Government of India as to whether they felt any strong objection to this change, and the answer I have received by telegraph is that they have none. That being so, I placed this clause in the Bill. Your Lordships will naturally ask why, after having myself, in a very fully-argued Despatch, which was to a large extent prepared by that very distinguished officer Sir Henry Norman, in answer to that of my noble Friend (Lord Ripon), stated strong objections to the proposed change, I now submit it to the House. In the discussion which took place here three years ago I ventured to say that if the noble Viscount were to bring forward a measure similar to the present I should not make any objection, and I think there are several reasons why Her Majesty's Government ought now to yield to the pressure of the Government of India on the subject. I say yield to the pressure, because, in my opinion, the pressure of

the Government of India is a very important element in the matter. They are the Government on the spot, and are immediately responsible; and when your Lordships find that all the successive Viceroys during the last 10 years have pressed the Imperial Government in the strongest manner that this measure should be adopted, it seems to me that now the greatest responsibility would attach to us if we refused any longer to accept their proposals. I do not say that that is a sufficient reason, but it must be obvious that there are other matters as regards the condition of India to be taken into consideration, seeing the great changes which have taken place in recent years. Railway and telegraphic communications have been made between the different parts of India, and have wholly changed the conditions, so that the whole matter has been rendered exceedingly different from what it was in old times. Besides that, there is also to be considered another reason of extreme importance which your Lordships will find in the Despatch, and I have no doubt that this reason has had great influence on the Government of India in the conclusions at which they have arrived—I mean the approach to the frontiers of India of another great European military Power. I would not lead your Lordships to suppose that at the present time there is any special reason to anticipate unfriendly relations with that Power, or to apprehend danger from that quarter. On the contrary; our relations are of a friendly character, and Her Majesty's Government hope that matters which are now the subject of negotiation with respect to an approach to some portion of the frontier of India will be brought to a happy conclusion. There is no reason why we should not continue to maintain cordial relations with that great European Power. But we cannot calmly shut our eyes to the fact of the near approach of one of the greatest military Powers in the world to our Indian Empire. We have acknowledged that fact by the construction of a most important system of frontier defence, and we must seek in the organisation of our Indian Army to place ourselves in the very best state of defence in order to be able to meet any possible emergency should the calamity of war arrive. The state of affairs in India renders it absolutely necessary that our Armies should be not

only capable of dealing with the internal conditions of India, but also able to defend the country if need be from foreign aggression. Your Lordships will see from the Papers laid on the Table that the Government of India have laid great stress on this consideration in support of the proposals they have made. I will say at once that that is 'one of the principal reasons which have led me to change my opinion, and to believe that the time has come for a greater concentration of the military command in order to secure the complete efficiency of our forces in India. Those forces, though I hope they are entirely sufficient for defence, are not of a very imposing character in point of numbers compared with those kept on foot by the great European Powers; and therefore it is the more necessary that we should have the most complete control over those forces, and should be able to use them in the most speedy and expeditious manner. The Government of India have come to the conclusion that, in order to secure this, the old Presidential system should be abandoned. In favour of this change we have the authority of two of the most distinguished men who have commanded our Armies in India—Sir D. Stewart, and that most able and distinguished soldier who was now about to return from India, Lord Roberts, the late Commander-in-Chief. The new Commander-in-Chief, who has just gone out to India, I am able to say, is also in favour of the change, for I have had the advantage of communicating with him on the subject. Those reasons will, I hope, convince your Lordships that the time has arrived when it is absolutely essential that this matter should be dealt with on the principles laid down by the Commission which was issued by Lord Lytton and approved of by successive Viceroy's whom I have mentioned. There is yet another matter which I cannot with propriety pass over. Your Lordships will have read in the interesting and important Despatch which Lord Laundowne has sent home the scheme which the Government of India proposes for the reorganisation of the Indian Armies. It is important that the House should know what view Her Majesty's Government take of those proposals. I may say at once that we have not arrived at a final decision on the matter, and

we shall not be able to do so until we know whether Parliament accepts this Bill or not, but I may intimate what our decision is likely to be. The proposals of the Government of India have somewhat varied from time to time on the question of reorganisation of the Indian Armies. In the first instance, by the Commission of 1879 it was proposed that there should be four Armies for Bombay, Madras, Bengal, and the Punjab, and also to maintain the existing system under which Beloochistan and Scinde were comprised in the Bombay command, and Burmah was included in that of Madras. The present proposals vary from these. It is proposed that Madras should be deprived of Burmah, and Bombay of Beloochistan and Scinde. Your Lordships will see that therein lie questions of very great consequence. As far as I am able to judge, it is not likely to be the opinion of Her Majesty's Government that it would be desirable to adopt the whole of the proposals put forward exactly as they have reached us. With regard to the Bombay and Madras Armies, I say at once, speaking generally, we consider that those Armies will be maintained separately, but they will be commanded by Lieutenant Generals, under the immediate control of the Commander-in-Chief. As regards the Bengal Army, we do not view with favour the proposal to place practically the whole of our fighting regiments in one separate Frontier Army. We consider there are elements of considerable danger in such an arrangement. We should also deprecate the severance of the Bombay Army from all frontier service, the necessity of which we do not see. We approve of the division of the Bengal Army, because it is so large that for it a division of command would be necessary; that is to say, there would be two Lieutenant Generals commanding the two sections of the Bengal Army, but we do not entertain the idea of making so complete a severance of those two sections that there would be no interchange between them. We think it better to leave power to the Government to make such interchange of regiments as they may wish and not to completely sever that Army into two parts. As I have said, we think it not desirable for many reasons to form one single Frontier

Army containing the whole of our fighting regiments in India. With regard to Madras and Burmah, that matter stands upon a somewhat different footing. There is no doubt a good deal to be said in favour of not connecting Burmah with the Madras command, but there are also good reasons on the other side. We have not formed any strong opinion or come to any actual conclusion upon that point. There is another remark I have to make. I think your Lordships will have seen with satisfaction that all the Governments of India successively have had clearly before them the paramount necessity for such a segregation of the different elements of our Indian Armies as will conduce to the safety of the State. That segregation has hitherto been provided by means of the Presidential Armies, although, at the same time, from the fact that many of the warlike races on the frontier are recruited into the regiments, the segregation has not been so perfect as it might have been; and in any proposals the Government of India may entertain, it is their strong determination to have such a segregation of the different elements in the Armies as will afford the security which is to be derived from the varied races in the Indian Empire. Looking to all the different interests we have to deal with, that is as absolutely necessary now as in former times. I hope no Government in India will ever lose sight of that most important consideration. We must not forget that we have not to deal there simply with military organisation as it might be dealt with in Germany, or France, or in this country; we have to deal with an Empire, not only of immense size, but of a most multifarious character, governed by a people on the other side of the globe, and presenting many different considerations from those attaching to a people homogeneous with its Government. I have a firm belief in the loyalty of the Indian Princes, and of the good feeling towards us of the vast populations of India; but, notwithstanding that, and notwithstanding all the advances which are being made in good government, and that there is a growing sympathy between those peoples and ourselves, we must remember the history of India. We must remember our duty to India; and it is our

*The Earl of Kimberley*

duty to India, for the preservation of the peace, in the highest sense of the word, of that vast Empire, to see that our military organisation is such that that peace is not endangered, and that we shall not incur such dangers as have befallen us in past times. For these reasons, I repeat that I trust this system of segregation, and a due regard for the differences of race in the elements composing our Indian Armies, may never be lost sight of. If that be remembered, I see nothing in this measure in any respect to cause alarm. On the contrary, I believe it will strengthen our position in India, and will enable us to make the best use of the warlike elements among the native races which are a source of strength to our Armies; and I hope there will be laid in that way the foundation of a military system so strong that, whether as regards internal administration, or external aggression, we may have nothing to fear.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Earl of Kimberley*.)

VISCOUNT CROSS: My Lords, I cannot enter upon the subject-matter of the discussion before us to-night without first endorsing every word that has fallen from the noble Earl with regard to my old Friend and Colleague the late Lord Derby. It had been my good fortune to be acquainted with Lord Derby for more than half a century, and to work with him at many periods of his life. I can, therefore, bear my personal testimony to Lord Derby's absolute worth, to his strong sense of public duty, to his constant desire to do everything for the public and nothing for himself, and also to the strong, straightforward, common-sense which he brought to bear upon every subject. Lord Derby's death is a serious loss, not only to your Lordships' House, but to the country at large. With regard to the Bill which has been brought before us to-night I would venture to say a few words to your Lordships. There can be no doubt that the question with which the Bill before us deals is a question upon which there has been very great difference of opinion, whether looked at from a political or a military point of view. It will be found, I think, by those who have studied the subject that it is the older military men who have been strongest in favour of

maintaining the Presidential system, and that it is the younger generation, so to speak, who have been anxious to see it done away with. Such well-known military authorities as Sir Frederick Haines, Sir Henry Norman, and Lord Napier of Magdala strenuously opposed the policy of abolishing the Presidential system in Madras and Bombay. Nor do I think it unnatural that you should find those opposing opinions between different sets of military officers. The system was generally supported by the older officers who had had experience of its value during the Indian Mutiny, and who felt the necessity for some safeguard to prevent anything of the kind in the future. On the other side, officers whose attention had been chiefly directed to the defence of the North-Western Frontier against a foreign foe favoured the proposal to concentrate the Army under one head. I am far from saying they may not be right from that particular point of view. In Lord Lansdowne's Despatch the different views of the two schools of military thought are expressed. In paragraph 6 your Lordships will find Lord Lansdowne points out—

"One lesson to be learned from the Mutiny, apart from the necessity of maintaining a due proportion of British troops in India, is the danger of allowing any one part of the Army to attain a vastly preponderating strength over the others ; "

and in paragraph 12 he says—

"The expansion of the Empire and its advance beyond its old limits involve the necessity of enlisting in our service the people of the new countries which have come under our rule. The necessity for this is now brought the more prominently before us, in view of the possibility that the next great operations our Army may be called on to undertake may be against a more formidable enemy than it has ever yet encountered."

When this matter was brought forward by my noble Friend in 1881, I ventured to state to your Lordships that if the Bill which was then proposed was to encounter great opposition in Parliament, as at that time I expected it would have done, upon those two subjects—the Indian Mutiny and a foreign foe—a public discussion should rather be avoided, as they were likely to raise disputes upon the one side and the other. The noble Earl has said that four Viceroys have been strongly in favour of the proposal embodied in the Bill. That is perfectly true ; but, on the other hand,

four Secretaries of State have taken the other view, and have abstained from acting upon the opinion of the Viceroys. It is worthy of consideration that these four Viceroys had all been influenced by the Military Department in India, which has been stirring throughout the whole of this matter since 1879. Their opinion, therefore, ought to have hardly as much weight as if it had been formed independently, and had been quite free from the bias of that Military Department. I stated at that time in the House that I was quite ready to carry out almost everything the Commission had recommended with the exception of this one point now before us. The noble Earl has stated what has been done in this direction in reference to the Military Accounts, Ordnance, Remounts, Commissariat, Transport, Clothing and Military Works Departments. A great deal has been done in preventing friction and to lessen the amount of correspondence which formerly took place, when everything had to go first to Madras or Bombay, and afterwards to the Governor General or the Commander-in-Chief. We have now before us a proposal to do away with the last remnant of the Presidential system. I am not inclined to oppose a Bill dealing with a subject to which so much consideration has been given by successive Secretaries of State in Council, and now that the responsible Government of the day has introduced it, I trust that they will persevere with it and determine that it shall become law, for it is very undesirable to cause uncertainty in India by introducing Bills affecting that country and then dropping them time after time, so that no one knows what the future may be. Therefore, I press upon the noble Earl that this measure should now be carried into effect with as little delay as possible. Before I make any observations upon the Bill, I should like to ask one question upon the 2nd sub-section of the 1st clause, for I cannot help thinking there is an error in it—a printer's error, I hope. It provides that—

"The military control and authority exercisable by the Governors in Council of the Presidencies of Madras and Bombay shall cease to be exercised, and all things which by or under the Army Act are required or authorised to be done by, to, or before the Governor of the Presidency of Madras or of Bombay, shall or may be done by, to, or before the Governor General of India"

—not to the Governor General of India in Council. That must surely be a mistake.

\*THE EARL OF KIMBERLEY: Certainly I should think so, speaking off-hand; but I should like to consult a draftsman. It cannot be intended to give special powers to the Viceroy.

VISCOUNT CROSS: Of course not. It is a matter of vital principle; and if it were brought before us in that shape in Committee I should certainly take the opinion of your Lordships upon the question, whether it should not be Governor General in Council. The Despatch we have in our hands is dated November 2, 1892, and, therefore, the Government has had ample time to consider it. I am bound to say that, I think, before we were called upon to consider this Bill a Despatch in answer ought to have gone out to the Government of India, because there are a great number of questions in connection with the subject about which we know nothing. The noble Earl has told us a most elaborate scheme has been sent home in answer to my own application when in Office as to the way in which the details of this plan were to be carried out. There is a great deal which is objectionable in that scheme. Paragraph 17 in the Despatch says there are three main principles which the Government of India have in view—

“First, to frame the division of the Indian Army in large military commands, so as to allow the changes, which will probably come within the next few years, to find a proper place in the new system.”

I should like to have seen the Despatch of the noble Earl on that point, because the Government of India has presented one or two totally different schemes in this matter. I am glad to hear from the noble Earl that, in his opinion, the Armies of Madras and Bombay ought to be considered and maintained as separate Armies. I entirely agree in that. I am very strongly of opinion that the Armies of Madras and Bombay should have the opportunity of frontier service, and that those parts of India should not be cut off from them. We ought to have heard something about this matter, because it is quite evident that what the Government of India are pressing upon the Government at home is that the scheme should be so framed as to give very great

elasticity to the Government of India in forming these great demands. We ought to know what the view of Her Majesty's Government is upon that matter, and I trust that before long we shall have a Despatch written showing what their view really is. Now I come to the second principle. The second principle which the Government of India has in view is that of decentralisation. I am glad to hear what fell from the noble Earl on that point, but as the Bill is drawn it is a purely centralising Bill. There are no safeguards in the Bill for securing decentralisation. There was no safeguard taken in any Despatch to secure decentralisation. So far as the Bill is concerned, these two offices are entirely abolished, and the entire Government of the whole of the Indian Armies is at once placed in the Commander-in-Chief under the Governor General in Council. It is not the time now to discuss this question in detail; but if noble Lords will go through the Schedules of the Bill and compare them with the Army Act, they will see that they do strip the local Commanders-in-Chief of every vestige of the primary duties of a Lieutenant General and centralise everything in the Commander-in-Chief in India. The third principle was the maintenance of the segregation of races. I am very glad to find that it is to be maintained, but I should like to have had it more fully stated not by word of mouth only, but in some Despatch to the Governor General of India. Paragraph 26 in the Despatch says—

“We base our proposals on the foundation upon which successive Governments of India have advocated the change for the last 11 years, that the reform which we again submit for the consideration of Her Majesty's Government will conduce to the more efficient and economical administration of the Armies of India.”

I think some information might have been given us upon that subject by the noble Earl. I do not quite understand how economy is to be effected by this change. I have never seen any satisfactory Report from India as to how the financial burdens are to be diminished by this change. I fear that the financial arrangements of a large scheme like this will be anything but economical in the long run. There is another part of the Bill to which I should like to call attention. The third paragraph of the 1st clause says—

*Viscount Cross*

"The officers holding at the commencement of this Act the offices of Commanders-in-Chief of the Forces in the Presidencies of Madras and Bombay shall cease to be Members of the Council of the Governors of Madras and Bombay respectively."

I must say I object very strongly to that paragraph. I see no reason for it, and I see very great harm in it. The noble Earl, so far as I understand, has brought forward no authority from India on the point, except some telegram which we have not seen.

\*THE EARL OF KIMBERLEY: I will lay it on the Table.

VISCOUNT CROSS: I should like to remind the House of the views the Government of India has held, at all events, since 1888 as expressed by the Viceroy. On June 1 of that year Lord Dufferin wrote—

"We would add that the present holders of these offices might retain the title of Commander-in-Chief, nor do we see any reason why they and their successors should not continue with advantage to be Members of the Local Councils."

On October 15, 1888, Lord Dufferin, in answer to my request, wrote again—

"It is to be understood that the position and authority, the privileges and titles of the present incumbents of the offices of Commander-in-Chief of the Madras and Bombay Armies respectively are to remain, as far as possible, unaltered."

On February 26, 1889, Lord Lansdowne wrote—

"It is not proposed to remove those officers from the Local Councils. We are of opinion that their retention in Council is desirable, because questions of general military and political policy would still have to be dealt with by Local Governments, just as the Lieutenant Governors of the Provinces of Bengal, the North-West Provinces and Oudh, and the Punjab have to deal with questions of the distribution and strength of the troops and the maintenance of order in their respective Provinces, and it would be advantageous that Local Councils should have the advice in such matters of the senior military officer serving in the Provinces."

Now I come to the Despatch which we have just received, and in paragraph 22, page 8, we find Lord Lansdowne still pressing the same point. He says—

"As to the Commanders-in-Chief of Madras and Bombay, we propose, as we did in 1888, that the position, authority, privileges, and title of the present incumbents of the offices should remain unaltered. Their successors would be Lieutenant Generals commanding the Armies of the south and the west respectively; but, as recommended in 1888, we see no reason why they should not be Members of the Council of the Governor of their Presidencies."

So that we have had four Despatches from India all strongly in favour of retaining the Lieutenant Generals as Members of the Councils. If they were deprived of that office, I cannot help thinking they will not be looked up to in the same light as in their present position as Members of the Councils, and it would lessen them in the eyes of those who served under them. I see no possible advantage in taking away from them duties they have so well performed. But, my Lords, I see another great disadvantage. Last year an Act was passed which enabled the Indian Councils to be very much enlarged, and I hope that by this time several Governments have promulgated orders by which the numbers are to be increased. If you take away the Commander-in-Chief from the Council of the Governor, you will deprive him of the advice he very likely might want in military matters, and you will also take away one of the members nominated by him and destroy the balance at present established. I cannot imagine what has induced the noble Earl to strike these officers off the Councils. I hope some of your Lordships will take that view of the case, and that we may be able to persuade the Government of India to leave those Commanders as Members of the Local Councils. I will not detain the House with any observations on the general condition of India, but I believe one of the greatest duties we owe to India is to maintain an efficient Army there. It is essential that we should be strong, and that the natives should have a knowledge of our strength. It is our strength and justice together that promotes the happiness of India, and I believe that the condition of the people of India, though it may be slowly, is certainly steadily improving, and that from one end of India to the other they do believe not only in our strength, but also in our justice.

THE DUKE OF CAMBRIDGE: My Lords, I deem it my duty, if your Lordships will allow me, to say a few words upon this important Bill, for it is an important Bill. Though personally, unfortunately for myself, I have never had any experience of India by residence in that country, I have, during the long time I have had the honour of being at the head of the Army, had constant opportunities of hearing the opinions of the



most distinguished officers, both of our Imperial Army and of the local Army who have served in that country during that period. Up to the present time I must frankly admit, as it is well-known to both sides of the House, I have consistently had one opinion on the matters embodied in the Bill. I have held that opinion because I have heard from men like Lord Napier, Sir Henry Norman, Field Marshal Haines, and others that they strongly objected to any change being introduced in the distinct commands in that country. They have always said that the interests of the Indian Empire being very vast, and the numbers of the Armies being so great, each should have a chief of its own, and that it would be impossible for one individual to grasp the whole question in operations connected with that great Empire unless there was a division of authority to some extent. Besides that, they also strongly impressed upon me the fact that for all military practical purposes the power of the Commander-in-Chief in India as a Member of the Council of India under the Viceroy was such that he could at any moment employ any portion of the troops in any one of the three Presidencies to any extent necessary. However, so strong became the pressure that this change should be made, and so strong was the opinion of Lord Roberts, and I believe others, that I could have no hesitation in withdrawing any opposition that I might have offered on this question. To my mind, the time has come when the change should be made, and the sooner it is made the better, because doubt and hesitation are most objectionable in military affairs. There are, however, some points in the Bill on which I should like to make a few remarks. In the first instance, I entirely agree with what has fallen from the noble Viscount, that the withdrawal of the two Generals from the Council of their respective Presidencies is undesirable. In my opinion, it is essential that there should be some military authority in direct and close and intimate relationship with the Civil Members of the Governments of those Presidencies. There is no doubt that the Government of India itself is quite prepared to agree to that; not only so, but they absolutely suggested it, and it would be a great advantage to the local Army if

*The Duke of Cambridge*

it were done. I do hope there may still be time to arrange the matter in such a way that this change will not be required by the Bill before the House. Another question of great importance is with regard to service on the frontiers of India which are dangerously situated. Their defence is to be absolutely in the hands of one single Army—that of Bengal; and the Armies of Madras and Bombay are to be cut off from the frontier where service is looked for, and where service alone is really valuable. I think it a misfortune that the Madras troops have already had too little opportunity of qualifying for service by having been for years entirely kept to local duties. Bombay has had a little better chance, having had Scinde. I cannot see why Madras troops should not be employed in Burmah or on that frontier side. This is really a matter of internal arrangement, and I hope any arrangement which is to be made under this Bill will not prevent the local organisations being so managed as to allow portions of every one of the Armies being occasionally employed on the frontier, whether at Burmah, Beloochistan, Scinde, or elsewhere. It is desirable that every portion of the Army should occasionally come in contact with hostile or dangerous elements, and not simply be called upon to do home police duty, which, of course, is necessary, but which, still, is not calculated to create that spirit which is so necessary in the Army. As regards the efficiency of the troops, I will give an instance when the Indian Contingent was in the Soudan. I can say that no troops could have behaved better than the Native Bombay Regiment. I cannot conceive why all the strong fighting elements should be in one Army Corps. I think that would be a great misfortune, and objectionable in a military point of view, and I hope some system of organisation will be carried out which will meet any serious trouble that may arise. I felt bound to point out what I think the very serious inconvenience which may arise under the Bill as it now stands; and I hope that before it is passed some reconsideration will be given to what I consider, from a military point of view, most important questions.

\*THE EARL OF NORTHBROOK desired, before he dealt with the Bill, to refer both on his own account and on be-

half of his noble Friend the Duke of Devonshire, to the late Earl of Derby, in respect of his connection with India, and the loss which the House and country had sustained by his death. The late Earl was in India before the Mutiny, and he filled for the last time the office of President of the Board of Control. It was under his auspices that the Act for the Better Government of India was passed, which transferred the Government of India from the grand old East India Company to the Crown, and he became the first Secretary of State for India. He (the Earl of Northbrook) could well remember, as a young man in the other House, being struck with the tact, ability, and thorough knowledge of the subject which the Earl of Derby displayed in passing that very difficult Act. He had also been struck with the singular power which the late Earl possessed of seizing the main arguments upon any question, however complicated and difficult, and placing them lucidly, tersely, and fairly before the country. With regard to the Bill, he shared with the illustrious Duke and the noble Viscount doubts as to the policy of the change. At the same time, he thought with them that, under the circumstances in which the Secretary of State was placed, it would be impossible for him not to accept the proposals of the Government of India in respect of the main change—namely, to bring the control of the Armies of India under the Viceroy in Council and the Commander-in-Chief in India. He was sorry that the House had not before it in some more complete shape the views of Her Majesty's Government on this matter. The plan submitted by the Government of India was not in all respects satisfactory, and he thought that in this interval which had elapsed since the scheme was sent out there had been time for the Government to have gone carefully into the matter, and to have given the House the benefit of the observations of the Secretary of State for India in Council, so that they might have known what was the actual plan which they were asked to sanction. He wished to impress upon their Lordships the absolute necessity of taking care that the administration of these separate Armies should be decentralised. An opinion to the same effect had been expressed by the Government of India and by the Secretary of State, and they

ought to guard, by distinct instruction, against the danger of centralisation. It was important, also, to consider whether it was not desirable that Lieutenant Generals commanding the newly-constituted Armies should be Members of the Councils of Bombay and Madras. There was great advantages to be gained from their connection with those Councils, and he saw no reason why they should not remain Members. The Secretary of State had said that the whole of his Council were in favour of removing these officers from the Councils of Bombay and Madras. Those Presidencies were very inadequately represented on the Councils, and he would like to know whether the noble Earl had any other Despatches from the Presidencies on the subject to lay on the Table, and whether he had consulted Lord Reay, who had lately filled the office of Governor of Bombay; Sir Grant Duff, who had recently returned from Madras, and whether he had taken the opinion of the illustrious Duke on the Cross Benches (the Duke of Connaught), who had recently held an important command in India as to this proposed change? If the Bill passed on the lines named in the Despatch he feared the tendency might be to diminish the power of the Civil Authorities in the Punjab, and to place the whole of the frontier policy in the hands of the Commander-in-Chief in India, which might be a very disadvantageous arrangement. There was a paragraph in the Despatch which made him apprehensive as to what was meant in this matter. Paragraph 21 said—

"We should insure that unanimity in our military action towards the tribes on the North and North-West Frontiers which is so desirable," and that seemed to indicate the change he feared that was the withdrawal of the late system of management of those tribes by the Civil Authorities, and putting it into the hands of the General Officer commanding the Army of the North, in immediate communication with the Commander-in-Chief in India. The opinion of the Civil Authorities on that matter of the management of the tribes was of the greatest importance, and should not be passed by. Arrangements should be made to enable that opinion to be conveyed to the Governor General in Council and military measures should only be taken after careful consideration of it by

the Governor General in Council. In the Despatch he saw nothing about economy; but, on the contrary, various indications that, unless a careful check were kept by the Secretary of State in Council and by the Government of India, the effect of the proposals would be to increase still further the growing military expenditure of India. When the Secretary of State wrote his answer to the Despatch which was now on their Lordships' Table, he trusted he would take care to provide as far as possible that the change about to take place by a redistribution of the forces or by raising more troops, of which he saw some indications, should not still further increase the very heavy charges which now fall on India in respect of military expenditure. There were several minor questions connected with the Bill which would be more appropriately discussed in Committee; but he would make no further observations at present, and would conclude by trusting that as the Secretary of State had at last introduced a Bill of this kind he would in his instructions to the Government of India take care that the points referred to, which he believed the noble Earl most thoroughly appreciated, and which were of great importance, should be carefully guarded in order that no mischief, either administrative or financial, should occur in consequence of the change now proposed.

\***LORD CHELMSFORD** would only add a few words to what had been said upon the subject of this Bill. In the course of his long service in India he had seen most of the troops in both Presidencies. Having been much impressed with the amount of petty detail thrown upon the Commander-in-Chief and his staff, and the fact that they were really precluded in consequence from taking part in the larger questions which were continually pressing for attention, he framed a scheme for the abolition of the minor Commands in Madras and Bombay. That scheme differed from the present one in this particular—that instead of dividing the Army of India into four Commands he divided it into eight. He forwarded that scheme to many influential persons, and it was, on the whole, very favourably received, although he was bound to confess his own Commander-in-Chief did not approve of it. He was surprised to hear from the illus-

trious Duke that Sir Henry Norman had expressed an opinion adverse to that scheme, because he had at home a letter from that gallant officer expressing entire approval of it, and saying that he had had a consultation with the lamented Lord Mayo, and he thought it was very desirable such a change should take place. Of course, in a scheme for the abolition of Commands, everything depended on how the details were carried out. Having studied the despatch laid on the Table very attentively, he was much struck with the tone of depreciation of the different parts of the Army of India except that which was recruited from the Punjab. Now, they all knew what gallant service the Sepoys of the Bengal Army had rendered, with the assistance of British troops, in defeating the Sikhs; and now, with their discipline infinitely improved, he was quite certain those regiments, if properly handled and distributed, would do right good service, supposing at any time we had to defend our frontier from a determined attack by a formidable European Force. The Bombay native troops behaved well under Sir Hugh Rose, and Lord Napier of Magdala had borne testimony to the gallantry of the Madras troops in Abyssinia. The Armies of Bombay and Madras had not had the same advantages of reorganisation as the Bengal Army, but their record was not less creditable. Running through the whole of the despatch, too, lay the presumption that if we were to meet a formidable European enemy on our frontier we must go outside the frontier to do so. He believed that would be a fatal mistake to make, unless it could be absolutely proved that by stepping outside we should find a better fighting position than inside our own country. But he contended, after studying this question very closely for a great number of years, that the North-Western Frontier, which was the only strikable frontier for a European Force, was as strong as it possibly could be made. It was only 500 miles in length, and along it ran an absolutely unfordable river. A formidable defensive position existed at Quetta, which he trusted would be supplemented at some future time by another at Peshawur. We, in fact, possessed what was so necessary on a frontier, the absolute command of both sides of the river, and we had now

strategical railways which enabled us to send troops to any point required. There are only two main lines from which India could be attacked : one from Cabul and the other from Candahar. The latter was now absolutely blocked by the forts at Quetta, and the line of attack would have to be thrown higher up in the direction of Ghuznee. In the circumstances he trusted the Bengal troops might be allowed, as hitherto, to occupy posts in the Punjab mixed with Punjaubees. Their martial spirit would be repressed if they were completely separately from that frontier. If we were to yield to those who were so persistent in advocating a forward policy, it would be seen, he believed, that they were doing a great injustice to the natural features of our own frontier and risking the loss of our Indian Empire.

\*THE SECRETARY OF STATE FOR THE COLONIES (The Marquess of RIPON): My Lords, I need scarcely say that I have listened with great interest and, if I may be permitted to say so, with great satisfaction to the discussion which has taken place upon this Bill. It is now 12 years ago since I, taking up this question from the late Lord Lytton, who left it to my Government, have been advocating the principle which animates the present Bill, and to that principle no opposition has been offered. Some criticisms have been directed against details of the Bill which can best be dealt with in Committee; but I have no doubt from the course of the Debate the Bill will now be read a second time without opposition, and that the principle which four successive Governor Generals of India and Governments of India, one after another, have been urging, will be passed by this House, and will become law. The noble Viscount opposite will, I hope, permit me to say that I cannot altogether admit the fairness of the charge which he brought against the Governments of India in regard to this matter, that they were solely inspired by the Military Department of their Government. My noble Friend must remember that this question took its rise not from the Military Department, so-called, of the Government of India, but from the most important and weighty Commission of 1879. That was the origin of this matter. The Report of that Commission was reviewed by Lord Lytton, but his Government, as your Lordships know,

had not time to complete the consideration of the subject. Lord Lytton himself recorded his strong opinion in favour of the proposals of the Commission; but he was obliged to leave the matter to those who followed him, myself, Lord Dufferin, and Lord Lansdowne. We all took the same view, and pressed the matter with the greatest earnestness. I am glad to find that we have been able to bring conviction to the minds of those who doubted for a long time, and that at last the principle of this Bill will be passed. The truth is that the Presidential system in India has been broken down. No one was a greater destructive in that matter than the noble Viscount opposite. He did a great deal to break it down, and it only remains now to take the ultimate logical step of abandoning the last remnant, and reorganising our Indian Armies so as to suit them to the requirements of the present time. Before I go further, I should like to say a word upon a matter which has received attention from some of the previous speakers, and that is the question of the segregation of the native elements of the different Armies. Throughout this discussion we, who have been advocating this arrangement from India, have found, to our surprise, that there is a great deal of distrust of us in this matter of segregation and centralisation. It has always been supposed that the object of this change is centralisation. That, certainly, has not been the object with which this arrangement has been proposed by any of the Governments of India who have urged it; and I beg to express my entire concurrence with my noble Friend below me (Lord Northbrook) in thinking that the principle of segregation in the Armies of India is of the greatest value. And I go further, and say that from my own experience I believe that principle of segregation will be better carried out under the system proposed by this Bill than it has been under the system existing in former years. The noble Viscount seemed rather to expect that there would have been in this Bill some more minute regulations given with regard to the general question of the reconstitution of the Indian Army. I am sure the noble Viscount will agree with me in thinking that it would be very undesirable to lay

down regulations of that kind in an Act of Parliament. We have suffered somewhat in India from having to deal, in respect to Army organisation, with the provisions of an Act of Parliament. Nothing could be more unwise, in my judgment, than to lay down the system of our military organisation, even in its main lines, in the imperative terms of an Act of Parliament. All we wish to do by this Bill is to remove the difficulties from the new system which the existing Act of Parliament imposes, and that is all, I venture to submit, which any Act of Parliament ought to do. Something has been said about the want of a despatch dealing with the new organisation as sketched out in the last despatch from the Indian Government. I know very well that that despatch makes proposals which are different in certain respects from those put forward in the Bill; but that, as Lord Lansdowne and his Colleagues say, is the result of the changed circumstances of India at the present time. It is, as I reminded your Lordships just now, more than 12 years ago since this question was taken up. Things in India have been a great deal changed from what they used to be. Many things have occurred in India in those 12 years, and I am not at all surprised that the Government of India should have proposed some changes in the detailed proposals which had been previously submitted to the Secretary of State. But then it is urged that my noble Friend ought to have laid before your Lordships a despatch upon this question at the same time that he brought in this Bill. I understood my noble Friend to say that we ought to take the opinion of Parliament upon the principle of this change, and then afterwards carry out the details in consultation with the Government of India when we have matured the plan. Your Lordships will have observed that in what fell from my noble Friend there are points upon which he hesitates to accept the views of the Government of India as laid down in that despatch. My noble Friend's course before he comes to a final conclusion upon those points will naturally be to consult with the Government of India, and to hear what they have to say upon them; and though this is a perfectly arguable matter, I venture to say that I think the course which

my noble Friend has taken is the best that could have been adopted, and that it would have been a mistake to incur the delay in introducing this measure which might have followed from a prolonged discussion with the Government of India at so great a distance in regard to its details. For I entirely agree with what fell from the noble Viscount opposite as to the importance of settling this question, so far as this Bill can settle it, at once and without delay. Everything that the noble Viscount said upon that point was, I think, most just and most important; and I can assure him that Her Majesty's Government will do all that rests with them to get this measure passed by Parliament during the present Session. Now, my Lords, I come to what, I think, is the principal objection which has been taken to the details of the Bill before the House—I mean the question whether the Lieutenant Generals who are to be at the head of the Armies of Madras and Bombay should or not also be Members of the Councils of the Governments of those Provinces. I will merely say that my own opinion has always been that the proposal of the Bill is the right one. That was the opinion of the late Lord Lytton. No doubt the noble Viscount was able to quote on the other side the opinion of Lord Dufferin, and to a certain extent the opinion of Lord Lansdowne, though, of course, from the telegram which has been communicated to your Lordships to-night, it is obvious that is not a point—I will not go beyond that—to which Lord Lansdowne attaches much importance. Now, my Lords, the main difficulty which I have always felt in regard to this matter is this. The system which was contemplated by the Commission of 1879, and which the successive Governments of India have desired in these respects to adopt, was a system which provided that under the Commander-in-Chief in India there should be four or five Lieutenant Generals upon an equal footing; and I have been unable to see why you should put the Lieutenant Generals in Madras and Bombay upon a different footing from the Lieutenant Generals in Bengal and the Punjab. That is the view I have always taken in the matter. I do not want to press it too far. I entirely admit there is much to be said on the other side, but I am bound to tell your Lordships

frankly what is the view I have been led to take. My noble Friend behind me said it was very important that the Governments of Madras and Bombay should be in immediate communication with the officers commanding the troops. I entirely agree with that—it is absolutely necessary; but I do not see the least in the world how that will be rendered difficult by preventing the Commanders-in-Chief from serving on the Councils. If a time of trouble and difficulty arises it is necessary that the Lieutenant Governors in Bengal and in the Punjab should be in the closest possible communication with the officers commanding the troops in those Provinces; and I fail at the moment to see why it is more necessary in Madras and Bombay than it is in Bengal and the Punjab. That is the view I have always taken, I confess, in this matter; and it is some satisfaction, I own, to me that that view was unanimously taken, as my noble Friend has told us by his present Advisers on the Council at the India Office. Those Advisers include Sir Donald Stewart, as we know, whose acquaintance with every detail in every branch of the Indian Army is surpassed by no man living at the present time; and the experience of the noble Earl's other Advisers is very great; so that, at all events, whether the view I take be right or wrong, it has considerable weight of authority to support it. I think, my Lords, I have touched sufficiently upon the main points which have been raised in this discussion, simply in the way of discussion, for there is no opposition to the principle; and I should be wrong in taking up your Lordships' time in arguing that principle at length. I did so two years ago when the course of the Debate, although not favourable at the moment to the view I entertained, led me to look forward to the time when those who opposed me would come round to my view, and when the proposals would ultimately be carried out. I certainly hope, my Lords, that the Bill, at all events in its principle, will be passed speedily by both Houses of Parliament.

\*THE EARL OF KIMBERLEY: My Lords, I am not entitled to make any reply; but, as I have been asked two or three questions, perhaps I may be allowed to answer

them. In the first place, I wish to make one remark with regard to the point which has been touched upon by the noble Marquess, and that is the great objection which has been taken to that part of the Bill with regard to the exclusion of the Generals commanding these Armies from the Madras and Bombay Councils. I can only repeat that I have taken the advice which I am bound to take, and which is provided for me as Secretary of State. A strong and unanimous opinion was expressed by my Council in favour of the clause in the Bill. I had the advice upon my Council of civilians who had sat in the Councils both at Madras and Bombay, and who were, therefore, competent to give me advice upon this matter. The advice given me, was, therefore, not that of military men alone, but was given by competent Civil officials also. I need scarcely say that that clause is not a cardinal principle of this Bill, and whatever objections may be urged against it will be arguable in Committee. Then, with regard to the finance question, my noble Friend asked for a statement of the financial saving. The matter stands, believe, as nearly as possible in this way. It was originally hoped that there would be savings to a considerable amount. They have amounted, I believe, on the whole, from the various changes made in the direction mentioned by the noble Marquess, to about £500,000 a year. Those changes have been made already, and of course, in that respect, the matter is discounted. But, as coming from this particular measure which I am proposing, there is no immediate expectation of any considerable amount of saving, though there is hope on the part of the India Office and Indian Government that eventually, when the reorganisation is completed, a more economical system will be created. That is all I can say upon the question of finance. My noble Friend also referred to a matter which it would be out of place to discuss now—the importance of always consulting the Punjab Government and the Frontier Authorities upon all questions relating to the frontier. I simply wish to say that I entirely agree in what my noble Friend has said. I think it is of the highest importance that the Government immediately on the frontier, who are well

acquainted with frontier questions, and have long experience with regard to them, which cannot be the case with the Central Government, at all events in the same degree, should be consulted on questions regarding the frontier. I will not say anything further, except to express my satisfaction that the general principle of the Bill is accepted by your Lordships, and to add that when we reach the Committee stage I shall, in regard to details, be ready to give whatever further explanations may be required.

**\*THE DUKE OF CONNAUGHT :** My Lords, this is the first time I have had the honour of addressing your Lordships, and I should not have risen but for the deep interest I feel in the subject under discussion. During the time that I was Commander-in-Chief in Bombay I was in frequent correspondence with the Indian Authorities on this subject, and also with the noble Viscount (Viscount Cross), as he will remember. I have always felt certain, from what had taken place, and from the result of the previous Commission of 1879, a very important one, as the noble Earl the Secretary of State for India said, that it was inevitable that a Bill somewhat on the lines of the measure now submitted by the Secretary of State for India should follow, and, as far as I am concerned, I concur in the general principle of the Bill. I wish, however, to point out very strongly that I think the Secretary for India has not recognised what a great loss it will be to the Native Armies of Bombay and Madras if the Commanders-in-Chief or Lieutenant Generals, as they are in future to be termed, were no longer to be Members of the Governors' Councils. I see that in one part of the despatch it was stated that the Sepoy did not at all understand the changes that would be likely to take place. I venture to think that the Sepoy, though he may not understand the nature of those changes in the same manner as we do at home, is a very sensible man for all that, and fully appreciates all that goes on. There are a large number of vernacular newspapers read either by these men themselves or read to them, and they take a deep interest in all matters which concern the prestige of those under whom they are serving. I

wish your Lordships to understand that I have no present interest in those Armies; but I desire to defend the interests of those who followed me, and I think it will be reducing them to the position of Divisional Generals when they are no longer taken into Council, and have no longer the right of sitting in the Governors' Councils, a right which is highly prized by everybody of position in these Presidencies. I wish also to point out, with regard to the recruiting for the Bombay Army, that the new Orders which are to come out will be severely felt in that Army. We had when I was in command of that Army a certain percentage of foreigners, Sikhs, Pathans, and others I know that this was most distasteful to the Government of Bengal. They looked upon it as an infringement of their rights; but, at the same time, it was an enormous advantage to that Army in stiffening it up, if I may say so. The ordinary Bombay Sepoy, recruited from the Mahratta, the Konkari, and other parts of the Deccan, are not at the present day of the physique they used to be. The Mahrattas are much better off than they were. They have taken so much to agriculture, and have filled so many appointments in Bombay and other places, that, as a fighting element, they are not what they were in old days when they rendered such gallant service for the British Government. Therefore, should they lose any other element than those I have mentioned, I feel certain that the Bombay Army will, as regards martial spirit and physique, deteriorate; but I am happy to think that the Secretary of State, from what he has said, is in favour of sending these troops to their respective frontiers, Beloochistan and Burmah, for service. I am aware that the health of the Bombay troops does suffer. There is no doubt that the Bombay Sepoy is less capable of resisting the rigours of the climate than his northern brothers; but, at the same time, there is an important prestige attaching to the right of going to the frontier and of taking part in the little frontier wars that occur. I think, especially for the officers, it would be a very serious matter if they never had a chance of those frontier experiences which are so important in keeping up the martial spirit of the Native Armies. Your Lordships have

*The Earl of Kimberley*

heard many important speeches from those who preceded me that I feel it would be quite out of place on my part to take up any further the time of your Lordships' House. But I do hope the question of the retention of the Commanders of the Bombay and Madras Armies in Council will be carefully considered. They have always sat in the Councils ever since the formation of these Armies of the two Presidencies. I trust, therefore, this question will be re-considered on its own merits.

Motion agreed to ; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday the 16th instant.

ELEMENTARY EDUCATION (RELIGIOUS INSTRUCTION) BILL [H.L.]—(No. 33.)

SECOND READING.

Order of the Day for the Second Reading, read.

THE BISHOP OF SALISBURY, in moving the Second Reading of this Bill, said, the principle of the measure was to permit parents of a sufficient number of children attending Board schools to make application to have separate religious instruction given to them in those schools, provided they did not put the ratepayers to any expense, and provided they did not interfere with the efficiency of the schools. It was, he imagined, a principle of the Common Law that the faith of the father was the faith of the children, unless there was a special understanding to the contrary. At present, unfortunately, the children of parents who belonged to the Church of England were not instructed in the Board schools as devout parents would wish them to be. The hard work and general conditions of life of the parents prevented them from themselves teaching their children. The result was that the children went in herds to the Board schools, where there was but little religious instruction, as Churchmen understood it, and where parents were not consulted as to the character of the teaching given to their children. In many such schools there was, indeed, no instruction of the kind at all. He did not wish to make any attack upon the School Boards, which, in many instances, did their best in the difficult position in which they were

placed. He thought, however, that it would be a very good thing to stimulate them a little, so as to induce them in all cases to use their powers to the full extent. Even the Apostles' Creed, the Lord's Prayer, and the Ten Commandments were not taught in Board schools as a rule, notwithstanding that promise had been made by the Department in 1888. The case of children of Jewish parents had been met by the London School Board by the adoption of a special syllabus of religious instruction. He rejoiced that this consideration had been shown to the Jews ; but he might point out that, if ever there was an infringement of the Cowper-Temple Clause, it was this syllabus. He would, however, be the last person to invoke the interference of the Education Department in the matter. He did not wish to level down the excellent religious teaching given to Jewish children, but he did maintain that the Christian Church should be allowed to level up the religious instruction given to Christian children. He moved the Second Reading of the Bill.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Bishop of Salisbury*.)

THE EARL of CRANBROOK : My Lords, I am quite aware that the details of the Bill will require a great deal of consideration. Its principle, however, I strongly approve, for the time has I think come when we ought to "take stock" of what is going on around us. In London a great controversy has recently arisen. The question now is, not whether an emasculated Christianity only can be taught in Board schools, but actually whether it is competent to teach doctrines adverse to Christianity, and to tell children not to believe certain things. In the case of Roman Catholic children and Jews concessions have been made to the religious views of parents which are withheld from members of the Church of England. Let it be fair all round. In *The Times* of that morning there appeared a very remarkable letter from Dr. James Martineau. He said—

"The error of the past has been the attempt to fit one uniform system of religious instruction to the wants of so variegated a whole as the population of a London school district. If you satisfy the ecclesiastical standard, you wrong the miscellaneous host of unattached yet not irreligious people. If you insist on the latitude necessary to make the best of their religious proclivities, you disappoint the genuine



Church disciples of the indispensable nurture of their piety. The simple remedy is to recognise the different requirements of their consciences and make distinct provision for each. In any school already worked under the 1871 rule this may be done by adding a department to the religious teaching conformed to Mr. Atherton Riley's restrictive condition, without prejudice to the freedom established elsewhere. I do not see why he and his friends should not have all that they desire, provided they are content with the consideration justly due to their own consciences, and refrain from all unfriendly attitude towards the different ideas and usage of their co-partners. If, in deference to the special requirements of the Jews, arrangements of different type have been thought admissible in different schools, there seems nothing to forbid the co-existence of similar though minor varieties within the same school. It would imply, of course, the presence of a more or less mixed staff of teachers, in order to conduct with intelligence, sympathy, and sincerity both the dogmatic and the undogmatic instruction. But, at all events, in the large London Board schools, I do not think that this would occasion any difficulty."

This is a remarkable admission. It is an admission that the difficulty cannot be met by a system of undogmatic religion, as Dr. Martineau calls it. In principle there is no such thing as pure and undogmatic religion. It is impossible for a teacher, if he is deeply imbued with certain ideas, to avoid communicating them to the children he is teaching. If you bring the instruction down, you must bring it down to a purely secular education. That being the case, are your Lordships prepared to eliminate religion from schools altogether? If so, you will be adopting a system which is being opposed in every country in Europe. It is the case now both in France and Belgium. The Bill of the right rev. Prelate proposes one way of meeting the difficulty, and it is a way which well deserves consideration. Why cannot religious education be provided without injury to the conscience of anyone? Without dwelling too long upon the topics involved in this subject, I wish merely to say that that which is given to the Jews is demanded by Roman Catholics and by Churchmen alike, and I contend that that demand ought to be conceded.

\*THE EARL OF KIMBERLEY: My Lords, it is difficult to exaggerate the importance of the question raised by this Bill. The noble Earl who has just sat down has protested against the elimination of religious teaching from our schools; but I am of opinion that the most decided step that could be taken

(the right rev. Prelate will forgive me, but I say it in all seriousness) towards the ultimate elimination of religious instruction from our Board Schools would be for your Lordships to adopt the principles laid down in this Bill. I desire to speak with the greatest possible respect of the motives which the right rev. Prelate has in bringing forward this Bill, and I desire to speak with the greatest respect for, and most entire sympathy with, those who desire that their children should receive religious instruction; but the unfortunate experience of the past, and the bitter discussion, after which the matter was settled by the compromise known as the Cowper-Temple Clause, should lead us to be very cautious in re-opening that discussion. The difficulty is an immense one. If it were possible that the various religious denominations of the Kingdom could lay aside their rivalries, no objection, I suppose, would be raised to the Bill; but we know perfectly well that nothing of the kind can happen. The Bill will constantly raise the most bitter controversies. The matter would not be left entirely in the hands of the parents, but they would be stirred up by the ministers of every denomination for the purpose of raising controversy, and the end of that would be, in my opinion, a far stronger movement in favour of secular teaching than has ever been experienced. It is for that reason that I object altogether to the Bill now before the House. With regard to the teaching of Jewish children, if what has been stated is correct, I should say there has been a distinct violation of the Cowper-Temple Clause, but I have not yet received full accounts of what has been done in that respect. We are face to face with an enormous difficulty; face to face with a problem which we have not the means of solving. I do not believe that the parents of the vast majority of the children of this country are so devoutly attached to the inculcation of particular religious dogmas upon their children as is supposed by those who teach those dogmas; and not having the means of solving the problem before us, and looking at the friction and contention which apparently the noble Earl opposite himself does not desire to provoke, I so strongly object to the passing of the Bill that I am obliged to move that it be read this day six months.

*The Earl of Cranbrook*

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Earl of Kimberley.*)

\*THE MARQUESS OF SALISBURY: My Lords, I am entirely unable to agree with the noble Earl opposite that the Cowper-Temple Clause has put a stop to the controversy on this question. The Cowper-Temple Clause has been an absolute failure, and has not introduced what it was expected to introduce—namely, free religious teaching with simple setting aside of particular religious formulæ, such as the Catechism. On the contrary, in a very large number of Board schools it has had the effect of banishing all definite doctrinal teaching altogether, and has produced either no religious teaching at all, or merely reading of the Bible without note or comment. And that has not produced religious peace. The movement which is now going on in London shows that it has not produced religious peace. The efforts of denominations, like the Jews and the Roman Catholics, to escape from it, clearly show that it has not produced religious peace. In every part of the country there is still the greatest strain on the part of the clergy of the Church of England, and a very large proportion of the laity, to escape from the danger of the Board school, lest restraint, which you call a compromise, should be imposed on the consciences of the children of the Church of England. I support the Bill, because I believe, without in the least committing myself to details, that it constitutes the only eirenicon which we can contemplate, and is the only prospect of peace between multifarious conflicting religious bodies. The noble Earl fears great religious turmoil in the various bodies who are each to provide at their own expense during a fixed hour of the day a place where a man paid by themselves can teach the religion which the parents prefer to have. What is there controversial or quarrelsome or dangerous in that? I cannot help thinking that we are under a disadvantage in arguing this question precisely from the fact that there is a limited sympathy with religious teaching on the part of those who are opposed to us. If I were arguing in a Japanese Assembly I should be certain of carrying my point.

It is because noble Lords will not detach themselves from their own convictions on the point, and will imagine they can force upon others the views they entertain upon religious education. My contention is that they have no right whatever to attempt to force upon either children or parents their own views as to what religious education is. The parent alone has the right to determine what the religious education of his child shall be; and what we have to do is, so far as material conditions will permit, to take care that the parent shall always have his wishes in that respect properly observed. What we have to suffer from is that the noble Earl will not treat us as if we were Jews—he will not treat us as if we were Roman Catholics. The Church of England is, I admit, deeply divided upon this point. Almost all the clergy and a large proportion of the laity believe in what, for shortness, I will call the teaching of doctrinal religion. On the other hand, a large number of the laity advocate the teaching of a non-doctrinal religion; or, at all events, the elimination of all doctrine upon which anybody disagrees with anybody else. I do not believe in that any valuable residue would be left; but I do not wish to pronounce any judgment upon the point. What I ask for is the recognition that there is a very strong body of belief in the Church of England that doctrinal teaching is necessary to religious education. If you once grasp that fact—you may differ from it and may wish it were altogether otherwise, but, at all events, you will see that you cannot trample down the convictions of a very large and earnest body of men, and you must give your attention and your efforts to the means of providing in the best way possible for the religious teaching of these children of the Church of England, and also of the many Nonconformist Bodies who have, as an article of belief from which they will not be forced, the conviction that doctrinal teaching is essential to the teaching of religion. I do not wish to argue for a moment that that is true or false; within these walls that is a wholly immaterial consideration; but I wish to show that that doctrine is extensively held, and the view is that it is not satisfied—that it is outraged by the Cowper-Temple Clause—as at present in practice, and that some measure such as

that of the right rev. Prelate is necessary in order to re-introduce peace into the Church community upon the subject. I do not pledge myself to all the details of this measure; but in recognition of the fact that there is a very difficult problem in face of us, with which we have to deal, and that the present state of things satisfies no earnest person whatever, I must certainly vote for the Second Reading of the Bill.

\*LORD NORTON called attention upon this subject to a movement lately started in Birmingham of the success of which he had just received information from the Bishop of Coventry. The Birmingham School Board had already granted all that the Bishop of Salisbury's Bill aimed at by permitting clergymen who undertook the task to give lessons in the Board Schools of definite religious teaching without any of the restrictions which the Bill imposed. They all had one object in view—namely, that the children attending the schools should have such definite religious teaching as their parents desired. There were only two modes of arriving at that object, either by arrangement with the Board Schools to give religious instruction more explicitly than they now did, by what was generally called a religious syllabus, or through permission to the parents of different religious denominations as the Bill proposed. In refusing either alternative they must make up their minds to allow our whole national system of education to become merely secular, and to trust to religious instruction being found elsewhere from those schools. The noble Earl opposite said the adoption of this proposal, which would be sure to break down, would only end in a purely secular system. That, however, was, in their opinion, the probable result of doing nothing. Under the Act of 1870, no doubt clergymen might have assumed the religious teaching in all the Board Schools by general consent; and it was merely because they objected to the system, and most unwisely held themselves aloof, that they had lost the position they were now seeking to recover. The Bill proposed rather liberally that the parents of any five children in a Board School should be able to demand that religious instruction should be provided for those children.

*The Marquess of Salisbury*

THE MARQUESS OF SALISBURY :  
They pay for it themselves.

\*LORD NORTON said, the parents would call upon the Board, and the Board would immediately entertain the application and provide an instructor at the expense of the parents and not out of the rates. The object of the Bill was good, but the mode of carrying it out was utterly impracticable. Suppose that in a large school, say of 1,500 children, several groups of five children demanded religious teaching, an instructor would have to be appointed for each group. Again, the children in the group would not be of the same age, and more than one instructor would be required because of the different ages. Obviously such a plan could not possibly work. He asked the right rev. Prelate to consider whether a parent who was so anxious for the religious education of his children, and was ready to pay for it, would not be likely to give his children religious education at home? There were many people who thought that school teachers were not the proper people to teach religion. This was a matter that should be dealt with by private agreement rather than by an Act of Parliament. It was impossible to frame a measure for carrying out such a proposal without infinite difficulty. There was not a line in the Bill before the House that would not provoke opposition, and it contained hardly a provision that could not easily be evaded. At the present moment, as he had pointed out, the object in view was attained by private agreement in Birmingham. The School Board there arranged with the clergy that on two days in each week half-an-hour should be given to Clergy in all Board Schools for the teaching of religion. He understood that that plan was working satisfactorily, and he asked if it would not be a much better way of arriving at the object they all had in view than by a measure such as that before the House?

\*LORD PLAYFAIR said, this Bill broke down the compromise of 1870, which he aided Mr. Forster as much as he could in obtaining; and he thought their Lordships would be extremely disappointed with the result if it were passed. In the first place, if they carried out their principle that the parents of any five children in any school having a

particular form of religion should have the right to demand to have them taught in that form of religion, the first thing the public would ask was that the same right should be given in denominational schools that was now sought to be forced on Board Schools. They would say that there being five Dissenters in one of these schools, which might be the only school in the parish, the Nonconformist minister should have a right to enter and give religious instruction in it. In 1870 there was a large body of educationists who desired that all schools should be secular, but that religious education might be given out of school hours. Their Lordships would, by passing this Bill, be giving a great impulse to that movement. There were many enemies of denominational schools, and when the Bill passed to another House, they would find that the compromise of 1870 would be further broken down by many with great willingness in order to introduce a system of secular education, which personally he thought would be a mistake. He was, therefore, sorry the Bill had been brought forward, and would vote against it.

\***LORD COLCHESTER** desired to say a few words as the only Representative of the London School Board in their Lordships' House. The Cowper-Temple Clause might mean almost anything, and those who construed it most strictly took the view that the unsectarian teaching required by that compromise was not the exclusion of the doctrinal teaching of particular sects, but the exclusion of all religious teaching whatever. The great point on which there had been so much discussion recently, was whether the religious education should not include the teaching of the Divinity of Christ. That had been denounced "as in the interest of Episcopacy" — why, it was difficult to understand. There was a strong feeling throughout the country that religious education should be given. He was sure that was the feeling in the Metropolis, for the candidates at the recent Election who advocated religious education met with great support. He would not say that the particular terms of this Bill should be carried out, or that the parents of so small a number of children as five should be allowed to do what was suggested. Still, if it could be done,

it might be very successful. If the rate-payers were anxious that their children should receive religious education they ought to have it. For those reasons he hoped their Lordships would consent to the Second Reading of the Bill, as it was generally admitted some change was required.

\***THE ARCHBISHOP OF CANTERBURY** could not, even at so late an hour, allow such a discussion to pass without saying a few words upon the subject before the House. He assured their Lordships that this Bill originated in the conviction, widely entertained, that unsectarianism was very fast becoming a religion in itself; that it was advancing into families which accepted definite doctrine, and would, if it continued its advance, change the religion, first of individuals, then of families, then of parishes, and then of the country. The noble Earl was much mistaken if he thought that the Bill was clerical or ministerial in any sense. The convictions of parents upon the subject of religion were becoming much deeper than ever they had been before; in fact, he did not believe those convictions were ever more deeply rooted throughout the country than at the present time. It was a great mistake to suppose that a spiritual or religious movement would produce a reaction, and that a secular condition of things would not. Secular education had been tried. It existed in America and in France, and was in both cases producing the widest and deepest reaction. Over the whole of France a large number of private religious schools were springing up, and while some of the unsectarian schools were poorly attended, the private religious schools in the hands of the clergy were full and flourishing. A book published by the late head of the Police Department of France, giving a narrative of the greatest crimes committed in the country during many years past, contained in its last pages a tremendous denunciation of the system of secular education in France, and traced the crime, which had been so greatly increasing, to the fact that such an enormous mass of young people were brought up without any sense of the Being to whom they were accountable or of a future. He was anxious, however, that there should be no violence

of feeling in the matter. Whatever was done ought to be done quietly, gently, in the most Christian spirit; but he could not see that any measure could move more gently and Christianly in the direction of obtaining for children an education such as their parents desired them to have. What could be more simple than that the parents should be allowed to go to the Board Schools and say—"If you will give us three hours in the week and a roof, we and our friends will provide a religious instructor to teach our children in the religious principles in which we desire them to be taught"? Such instruction would be given without cost to the ratepayers, and it was not to interfere with the arrangements or discipline of the schools.

On Question whether ("now") shall stand part of the Motion? Their Lordships divided :—Contents 32; Not-Contents 21: Majority 11.

Resolved in the affirmative.

Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the whole House.

#### APPOINTMENT OF MAGISTRATES.

##### QUESTION. OBSERVATIONS.

\***LORD STANLEY OF ALDERLEY** asked the Lord Chancellor if he would have any objection to laying on the Table a Return of the Magistrates, with their names and the places of their jurisdiction, appointed by himself and the Chancellor of the Duchy of Lancaster within the last six months? He said that, in the recent discussions on the appointment of Magistrates, all who had spoken seemed to have lost sight of the change made by Mr. Ritchie's Local Government Act; when Magistrates exercised administrative functions there was sense in asking that political Parties should, as far as possible, be balanced, but now that Magistrates were restricted to judicial functions only, character and education ought to be the principal, if not the only, elements to be considered in the selection of Magistrates. He was most anxious to avoid making any insinuations against the noble and learned Lord on the Woolsack, neither would he venture to accuse the last speech on the subject from the Woolsack of being inconsistent and contradictory; but he

thought he might call the attention of the noble and learned Lord to what a Justice of the Peace of 25 years' standing had written to *The Morning Post* in this respect. That letter, after stating the denial of the noble and learned Lord of "having been actuated by any desire to serve any Party end," went on to quote later passages from the same speech in which the noble and learned Lord complained of the very limited number of Liberals having been upon the Bench when he came into Office, and that, in short, he had tried to balance Parties. The noble and learned Lord had put a mechanic on the Bench at Crewe, and the Chancellor of the Duchy of Lancaster appeared to have put 58 or 59 working men on different Benches, merely because they were working men. He would not go into the question of whether the status and education of these men fitted them for these positions, or whether the placing them there was part of the general attempt by the Government to catch votes at any cost; but it could not be denied that this was a novel experiment, and he, therefore, would make to the noble and learned Lord the request on the Notice Paper, in order that the country might be able to watch and follow the experiment of the Government, and see how these new Magistrates conducted themselves. He did not see how the noble and learned Lord could well object to this without admitting that he had not confidence in his own nominees; it could not be said either that it was invidious to the new occupants of the Bench, since their name and new positions were already known in their own localities, and such a list would have a good effect of an incentive to these new Magistrates to acquit themselves well, and to feel the responsibilities of their new position. He would now put a case before the House which showed how necessary local knowledge and trustworthy information was to prevent the occupants of the Woolsack from being deceived, and that they could not rely upon Chairman of Election Committees. He was not disposed to be very severe upon this dirty Election trick, as such often happened; but it became important when the person who perpetrated it was put upon the Bench. As he had given a local newspaper with full details to his noble and learned Friend upon the Woolsack, he need not

*The Archbishop of Canterbury*

given names of persons or places. Last July, just before the Election, a person in a borough got a leaflet printed, which contained a gross libel on the Conservative candidate for the division; and on the 4th November this person was put upon the Bench of the borough by the noble and learned Lord. Before that date, soon after the Election, and before the Long Vacation, the libelled candidate, who had become the Member for the division, discovered who had set the libel going, proceedings were taken against him in the High Court, with the result that this person wrote an abject letter of apology, and paid the costs. This occurrence gave rise to the fear that other persons, equally indiscreet and unfit for the Bench, might have found their way there; and the worst of it was that ignorant persons who knew little of the occupants of the Woolsack might wrongly imagine that this Magistrate had been put upon the Bench as a reward for his partisan services. On this account the noble and learned Lord on the Woolsack surely had a solid grievance against the person or persons who recommended to him the appointment of this Magistrate, and who kept the noble and learned Lord in ignorance of the facts which would have prevented such a nomination.

THE LORD CHANCELLOR (Lord HERSHELL): My Lords, I do not propose at this time of the evening to enter again upon the question of what considerations ought to guide the appointments of Justices, beyond saying that I entirely dissent from the idea that there is more reason for a Return of Magistrates appointed during the last six months than during any other term when anybody else was concerned in the appointments. With regard to the question on the Paper, a Return such as is asked for has been moved for in the House of Commons in continuance of a previous Return, and is now in course of preparation. I have no objection to that Return being laid on the Table of your Lordships' House. As to the case to which the noble Lord alluded, I must decline to take any action or accept as a foundation for action a paragraph in any newspaper. The appointment in question having been made, if there were anything in it sufficient to be dealt with, it would have to be considered upon any

suggestion that the gentleman was unfit and ought to be removed. That, however, is not a matter for debate in this House. The removal of any name from the Commission is a matter to be dealt with judicially. I think the noble Lord has interpolated something into the statement in the newspaper. The gentleman referred to said that he was not the author of the libellous document referred to, and that when he handed it in to be printed he did not know the contents. The noble Lord has said that that was not believed; but that is only the statement of the noble Lord. What the gentleman had done, no doubt, might technically render him liable to an action in point of law, but it did not indicate any moral fault on his part. Those are all the facts I have before me, and upon them there seems to be not the slightest ground for interference.

#### PETITION OF VISCOUNT CHARLEMONT.

Ordered, That the Petition of James Alfred Caulfeild Viscount Charlemont in the Peerage of Ireland, claiming a right to vote at the elections of Representative Peers for Ireland (presented on Friday last), be referred to the Lord Chancellor to consider and report thereupon to the House.

#### GAS PROVISIONAL ORDERS CONFIRMATION (NEWENT GAS, &c.) BILL [H.L.] (NO. 84.)

A Bill to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Newent Gas, Portishead Gas, Sheffield Gas, and Sligo Gas; and

#### GAS PROVISIONAL ORDERS CONFIRMATION (BROMYARD GAS, &c.) BILL [H.L.] (NO. 85.)

A Bill to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Bromyard Gas, Llanfairfechan and Aber Gas, Otley Gas, and Swindon Gas:

Were presented by the Lord Playfair; read 1<sup>a</sup>; to be printed, and referred to the Examiners.

#### COUNTY SURVEYORS (IRELAND) BILL [H.L.]—(No. 86.)

A Bill to amend the law relating to the appointment of county surveyors in Ireland—Was presented by the Lord Monteagle of Brandon (for the Lord Emly); read 1<sup>a</sup>; to be printed; and to be read 2<sup>a</sup> on Friday the 12th instant.

## BUSINESS OF THE HOUSE.

Leave given to the Lord Tyrone (M. Waterford) to speak sitting during the present Session.

## LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 1) BILL.

Read 2<sup>a</sup> (according to order), and committed to a Committee of the Whole House To-morrow.

SUFFOLK COUNTY COUNCIL COMMITTEE (BORROWING POWERS) BILL.  
(No. 60.)

House in Committee (according to order); Bill reported without amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> To-morrow.

## MUNICIPAL CORPORATIONS ACT (1882) AMENDMENT BILL.—(No. 35.)

Amendments reported (according to order), and Bill to be read 3<sup>a</sup> on Tuesday next.

## REFORMATORY SCHOOLS (SCOTLAND) BILL.—(No. 29.)

Amendments reported (according to order), and Bill to be read 3<sup>a</sup> on Tuesday next.

VOLUNTARY CONVEYANCES BILL [H.L.]  
(No. 20.)

Amendment reported (according to order), and Bill to be read 3<sup>a</sup> To-morrow.

## POLICE DISABILITIES REMOVAL BILL.

Amendments reported (according to order), and Bill to be read 3<sup>a</sup> To-morrow.

LOCAL AUTHORITIES LOANS (SCOTLAND) ACT (1891) AMENDMENT BILL.  
(No. 57.)

Read 3<sup>a</sup> (according to order), and passed.

House adjourned at Eight o'clock,  
till To-morrow, a quarter  
past Ten o'clock.

## HOUSE OF COMMONS,

Thursday, 4th May 1893.

## QUESTIONS.

## IRISH LAND PURCHASE RETURNS.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when the Returns required from the Land Commission under Section 33 of "The Purchase of Land (Ireland) Act, 1891," which are prescribed to be made as soon as possible in April of each year, will be issued?

\*THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I understand that the Return is already at the Treasury, and that it will be presented in the prescribed manner in a few days.

## THE INDIAN TELEGRAPH DEPARTMENT.

SIR SEYMOUR KING (Hull, Central): I beg to ask the Under Secretary of State for India with reference to his recent statement that the scheme adopted by the Government of India for classifying and grading the officers of the Indian Telegraph Department had been approved by the Secretary of State, whether the effect of the classification and grading now instituted by the Indian Government has been that contemplated by the scheme authorised by Lord Kimberley, and ordered by Lord Cross to be carried into effect in 1887; whether, when an officiating appointment occurs in the first grade of a class, it is filled up from the second grade, and if in that case the officer remains in the same class without any increase of pay for the higher work; whether he is aware, as stated in *The Pioneer*, that recently cases have occurred where every (telegraph) officer in the country in the second grade of a class has been officiating in the first grade for months together, bearing additional responsibility without receiving one rupee of extra pay; if so, whether there are other changes advantageous to officers which the Secretary of State has sanctioned to outweigh the loss sustained by the officers under this state of things, and what the alleged advantages are;

and whether it was intended by the Secretary of State that in Classes V. and VI. men should be drawing less pay now than they would have done under the old rules?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): Yes, Sir; but certain modifications were made in the original scheme by the Government of India with the sanction of Lord Cross. With regard to the second and third questions of the hon. Member, the answer is that officiating promotions from grade to grade have been abolished, though not from class to class. The officers concerned receive benefit from the special terms of retirement offered to increase the flow of promotion; and those in the four assistant superintendent grades receive personal allowances. The Secretary of State is not aware whether the statement quoted from *The Pioneer* is correct. The answer to the last question is, No, nor is the Secretary of State aware that any such cases have occurred.

#### THE OATH IN IRISH COURTS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. J. A. Smith, of Brookboro', County Fermanagh, after being sworn before Mr. Molony, R.M., at Newtown Butler on the 3rd inst., with uplifted hand, was asked whether he held that form of oath binding on his conscience; and if there is any legal warrant for asking members of the Presbyterian Church such a question?

\*MR. J. MORLEY: I am informed that the Resident Magistrate did make this inquiry, which I understand is not unusual in Courts of Justice in Ireland. There is, of course, no legal warrant for putting the question, and the Resident Magistrate's attention has been drawn to the matter.

#### THE IRISH EDUCATION ACT.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, owing to the passing of the Irish Education Act of last Session, a large number of clerks in the Education Department have been compelled to work overtime without any remuneration; and whether, seeing that a request for consi-

deration has been met by a threat of dismissal, he will allow a further statement to be made to him on the matter?

\*MR. J. MORLEY: The Commissioners of National Education regretted they had no funds at their disposal out of which to give extra remuneration for the additional work imposed upon their staff consequent on the introduction of the Act of 1892. The Commissioners are now preparing a scheme for submission to the Treasury which would enable them to award extra remuneration in certain emergencies. It is not true, I am informed, that any threat of dismissal was ever made to a clerk under the circumstances mentioned.

#### REGISTRATION OF ELECTORS IN IRELAND.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland when he proposes to place upon the Notice Paper the clauses rendering the Registration of Electors Bill applicable to Ireland; and why, as in the case of Scotland, a separate Bill has not been introduced?

\*MR. J. MORLEY: I can only say that ample notice will be given before the House is asked to consider the clauses. As to the last part of the question, I do not know of any reason except want of time.

#### DISTURBANCE AT CLOGHEEN.

MR. O'NEILL (Antrim, Mid): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that, on the night succeeding the passing of the Second Reading of the Home Rule Bill, a Nationalist band paraded the streets of Clogheen, County Tipperary, and stopped and played opposite the residence of Dr. Richard Walsh, a medical gentleman, who had not illuminated his windows, and that stones were thrown through the windows of that gentleman's house; and will he state what steps have been, or are being, taken by Her Majesty's Government to protect loyal citizens in that neighbourhood?

\*MR. J. MORLEY: This account is a very highly-coloured narrative of what actually took place. I learn that one stone was thrown at Dr. Walsh's house, and broke one single pane of glass. No one has been made amenable, but the



police are giving the matter their attention. I am informed that Dr. Walsh is himself a Nationalist.

#### THE COASTGUARD SERVICE.

MR. E. H. BAYLEY (Camberwell, N.): I beg to ask the Secretary to the Admiralty what is the total number of men employed in the Coastguard Service, the rate of wages, and the total annual cost; whether they could be advantageously employed in manning steam life and salvage boats for which they are qualified; and whether a percentage charged upon the salvage would fully cover the cost of the undertaking?

THE CIVIL LORD OF THE ADMIRALTY (MR. E. ROBERTSON, Dundee): The number of petty officers and seamen in the Coastguard Service provided for this year is 3,879; their wages and allowances vary from 2s. 11d. to 4s. 6d. a day, and the total amount of wages and allowances is £150,956 for the present year. It would be highly inconvenient to divert the Coastguard men from their regular duties for the purpose suggested. The saving of life and property from wrecks is already an important part of their duties.

#### THE LANCASHIRE CHANCERY COURT.

SIR HENRY JAMES (Bury, Lancashire): I beg to ask the Chancellor of the Exchequer if he is aware that the accumulations of the Suitors' Fund in the Chancery Court of Lancashire amount to £130,000; and if the Government will consider the advisability of devoting such accumulations or part thereof to providing a better system of administration of justice in Lancashire?

THE CHANCELLOR OF THE DUCHY OF LANCASTER (MR. BRYCE, Aberdeen, S.): The amount of the accumulations of the Suitors' Fee Fund will be found in the Return very recently presented to Parliament at the instance of the hon. and learned Member for Harrow. At the end of last year it was (as in that Return mentioned) £12,400 in India Three and a Half per Cents. and £127,558 11s. 5d. in New Consols. This accumulation belongs in right of Her Duchy and County Palatine to Her Majesty, who was pleased in 1876 to direct, by order, its appropriation to the exclusive use and purposes of the

Chancery Court of the County Palatine. Owing to considerable reductions in the scale of fees and to other causes, the increase of the surplus has in recent years been comparatively slow; and if further modifications in favour of the suitors, which have been suggested, are carried out, the whole income of the fund will not, having regard to various contingencies, be more than sufficient to provide for the expenses of maintaining the Court in efficient working. I should be very glad to do anything coming within the scope of my office to promote a better system of administering justice in Lancashire, but do not think that this particular fund can be diverted from the Lancashire Chancery Court.

#### THE MONEY ORDER CLERKS AT COLD BATH FIELDS.

MR. GRAHAM (St. Pancras, W.): I beg to ask the Postmaster General whether there has been a large increase of sickness among the Money Order clerks since the removal of this branch of the Service from Aldersgate Street to the disused prison in Coldbath Fields; and whether the removal of this branch to Coldbath Fields, which was stated to be temporary four years ago, is now intended to be permanent; and, if not, when will it be removed from the disused prison of Coldbath Fields?

MR. HANBURY (Preston): At the same time, I will ask the right hon. Gentleman whether his attention has been called to the largely-increased amount of sickness among the Money Order Office clerks since their removal four years ago from St. Martin's-le-Grand to the old chapel in Coldbath Fields Prison; whether he will at once take steps to remedy the existing insanitary conditions there; and what was the Report of the independent sanitary expert who inspected this office in 1891?

THE POSTMASTER GENERAL (MR. A. MORLEY, Nottingham, E.): With reference to the Money Order Office at Mount Pleasant, I have given to this matter considerable attention. I have visited the office myself, as did both my predecessors, and I have received several Reports from the Medical Officer of the Department and also from the Office of Works. I have come to the conclusion that there is no real

*Mr. J. Morley*

ground for regarding the premises as insanitary. The branch was transferred to Mount Pleasant four years ago, in 1889, and since that time the average sick absence has not been abnormal except during the last two years, when there has been an increase, similar to what has taken place in other branches, and which has been due to the epidemic of influenza. There was no Report of an independent sanitary expert in 1891. There was a Report by the Office of Works dated 13th November, 1891, in which it was stated that the sanitary arrangements were in good working order, and that there were no grounds for an independent examination of the premises. If either of the hon. Members can furnish me with evidence in support of their statements I will gladly examine them.

#### RAILWAY WHISTLES.

MR. GRAHAM: I beg to ask the President of the Board of Trade whether his attention has been called to the nuisance of railway whistles at night from the coal traffic on the London and North Western and Midland Railways in Camden and Kentish Town; whether he would endeavour to put a stop to the practice; and whether any accident has ever been reported as having taken place in consequence of the whistling having been temporarily suspended?

THE PRESIDENT OF THE BOARD OF TRADE (MR. MUNDELLA, Sheffield, Brightside): The Board of Trade have no authority, and it would not be compatible with the necessities of railway working, to stop the practice of whistling on railways. I have communicated with the Railway Companies concerned, and I am assured there has been no unnecessary whistling. In the case of an accident at Finsbury Park, 10th February, 1886, Major Marindin, the inspecting officer, who reported on the circumstances, states that the

"driver of one of the trains concerned in the collision had not, during the time he was standing waiting for the signal to start, sounded his whistle, and had it not been for an order to avoid any unnecessary whistling in consequence of complaints of the nuisance caused thereby he would have been greatly to blame for not doing so."

#### THE DELAGOA BAY RAILWAY.

MR. QUILTER (Suffolk, Sudbury): I beg to ask the Under Secretary of State for Foreign Affairs whether he can give the House any information about the progress of the Arbitration upon the claim of the Delagoa Bay Railway Company against the Portuguese Government for the forcible seizure of their property some three years ago?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The Arbitration is proceeding at Berne before the tribunal instituted for the purpose. At the request of the company, the Court of Arbitration recently granted them an extension of three months—namely, to June 30 next, for the presentation of their reply to the Portuguese counter case.

#### DISTURBANCE AT DOON.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, early upon the morning of Sunday, the 23rd March last, the house of Patrick Maguire, at Doon, Derrylin, in the County Fermanagh, was fired into by some persons armed with firearms; what is the alleged cause of this attack; and have any of the persons employed in it been apprehended?

\*MR. J. MORLEY: The outrage referred to was committed on the morning of the 24th April. One arrest has been made in connection with the occurrence, and, pending the hearing of the case, it would not be prudent to disclose the motive assigned for the crime.

#### TOBACCO DUTIES IN IRELAND.

MR. DANE: I beg to ask the Chancellor of the Exchequer what is the annual sum received by the Customs Authorities in Ireland upon manufactured and unmanufactured tobacco?

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): The net amounts of Customs Duties in each of the last two financial years are as follows:—March 31, 1892—manufactured, £1,418; unmanufactured, £1,437,340; 1893—manufactured, £1,528; unmanufactured, £1,469,341.

MR. SEXTON (Kerry, N.): Is the right hon. Gentleman yet in possession

of the actual figures of the receipts and expenditure in Ireland for the last financial year?

SIR W. HARCOURT: I am not; but rapid progress is being made with the preparation of the Return.

#### STILL BIRTHS.

DR. CAMERON (Glasgow, College): I beg to ask the Secretary of State for the Home Department if he can state when the Return of "Still Births in England and other Countries," for which an Address was voted by the House of Commons on the 9th May last on the Motion of Viscount Grimston, will be issued to Members?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I understand that the delay in presenting this Return has arisen from the necessity of obtaining some of the information from foreign Governments; but that it is now in the hands of the printers, and will shortly be presented.

#### HEALTH MATTERS IN ROSS-SHIRE.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary for Scotland whether his attention has been drawn to a report of the recent meeting of the Ross-shire County Council, by which it is shown that health matters in Ross-shire are in a deplorable condition; and whether he will cause immediate inquiry to be made into the actual condition of things by other than a member of the Board of Supervision?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): On inquiry I am informed by the County Council of Ross and Cromarty that they know of no such meeting or report as mentioned in the hon. Member's question. As to health matters being in a "deplorable condition," I am informed that the rate of mortality on the landward part of the Lewes is exceptionally low—under 16 per 1,000. I have a telegram from the Council to say that nothing has occurred which could give rise to the report.

MR. WEIR: Then I will let the right hon. Gentleman have further particulars.

*Mr. Sexton*

#### DISTRESS AT ULLAPOOL.

MR. WEIR: I beg to ask the Chancellor of the Exchequer whether, in view of the fact that in and around Ullapool a large number of families are absolutely without seed oats and potatoes, and are unable to find employment at or near their homes, and have no means to go elsewhere in search of work, he will place at the disposal of the Scottish Office sufficient money to provide employment for these persons on public works, or re-consider his decision with regard to granting a subsidy for the construction of the Garve and Ullapool Railway, or make other provision to open up communication with this populous and inaccessible district?

SIR W. HARCOURT: I will ask the hon. Member to address these questions to my right hon. Friend the Secretary for Scotland.

MR. WEIR: I will do so, Sir.

SIR G. TREVELYAN: I am prepared to answer this at once; £400 has recently been sanctioned for road making in the district of Loch Broom, in which Ullapool is situated. The Board of Supervision send in fortnightly Reports of the state of destitution in the Western Highlands and Islands, and none of them contain any allusion to distress at Ullapool. Under these circumstances, the Government does not consider it necessary to take any further measures. In any case, the question of whether or not a great subsidy should be given for the construction of a railway would have to be considered apart from the question of finding work to meet temporary distress.

#### THE THAMES CONSERVANCY BOARD.

MR. H. L. W. LAWSON (Gloucester, Cirencester): I beg to ask the President of the Board of Trade whether he is aware that his Predecessor declared it advisable that there should be a Parliamentary inquiry into the composition, constitution, and powers of the Thames Conservancy Board; whether he is aware that the London County Council is seeking representation on that Board under its General Powers Bill; and if he will move for a Select Committee to consider the whole question?

MR. MUNDELLA: There is a Bill at present before Parliament promoted by

the London County Council which proposes to give representation to the London County Council on the Conservancy Board. If that Bill is carried, I assume that the object will have been attained. I shall be quite prepared to consider the question of the appointment of a Select Committee if necessary.

#### BRITISH PICTURES AT THE NATIONAL GALLERY.

DR. FARQUHARSON (Aberdeenshire, W.): I beg to ask the First Commissioner of Works whether his attention has been called to some letters by Mr. James Orrock in *The Westminster Gazette*, in which the increasing deterioration of the British pictures in the National Gallery, more especially those in which asphaltum has been freely used, is described; and whether, in order to counteract the dry heat which hastens this decay and causes the panel pictures to shrink, he can arrange some convenient process by which the air may be moistened by steam?

\*THE FIRST COMMISSIONER OF WORKS (Mr. SHAW LEFEVRE, Bradford, Central): I am informed by the Director of the National Gallery that it is not correct to say that certain British pictures in the National Gallery show increased deterioration. He states that the evil effects of the use of asphaltum by Sir Joshua Reynolds and other painters of that period could not be averted by additional moisture in the atmosphere. As to the heating, the temperature of the rooms in winter is not allowed to exceed 56 deg. or 58 deg. Fahr. In the galleries containing the panel pictures of the old masters, the experiment of placing shallow water tanks over the hot-water pipes, in order to mitigate by evaporation any excess of dryness in the air, has long been tried. Although the late Dr. John Percy, after careful investigation of the hygrometric condition of the air, pronounced it to be normal, the use of the tanks has been continued, with other precautions.

#### POSTAL ARRANGEMENTS IN THE COLONIES.

MR. HOGAN (Tipperary, Mid): I beg to ask the Postmaster General whether he will submit the Postal Convention of 1891 to the consideration of the Law Officers of the Crown, with a

view to determining whether there is anything in its terms or provisions that would prohibit or prevent the adoption of a penny postage rate between the British Isles and the Australian Colonies?

MR. A. MORLEY: I do not think it is necessary to submit the Postal Union Convention of 1891 to the Law Officers of the Crown with the object named in the question. As I explained in the Debate on the 28th April, and as was stated by the Prime Minister on the same occasion, the main obstacle to the adoption of Imperial penny postage is to be found outside the Convention itself—in the covenant entered into by all the members of the Union with the Australasian Colonies as to the conditions on which the latter should enter the Union.

MR. LAWSON: May I ask if it is true that Germany is at present arranging a postage at about 1½d. to her Colonies?

MR. A. MORLEY: I have no information as to that.

#### INCOME TAX STATISTICS.

MR. LOGAN (Leicestershire, Harborough): I beg to ask the President of the Board of Trade if his attention has been called to Table 14 of the Statistical Abstract for the United Kingdom for 1892, compiled by the Commercial Department of the Board of Trade, in which, while the income from land subject to Income Tax is stated to have decreased in England and Wales to the amount of £10,432,645, and in Scotland to the amount of £1,314,854, between the years 1877 and 1891 inclusive, the income from land subject to Income Tax in Ireland has increased by £3,687 during the same period; and whether he can state the class of land to which this increase is due, and say in which portion of Ireland it is situated?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): Perhaps I may be allowed to answer this. The Commissioners of Inland Revenue are endeavouring to procure this information; but, as they have had to issue circulars to various officers in Ireland, there has not been time to collate the replies. Perhaps the hon. Gentleman would put down the question for Monday week.

## POLICE COURT BAIL.

MR. CAINE (Bradford, E.): I beg to ask the Secretary of State for the Home Department whether, in view of the present method of testing the *bona fides* of persons offering themselves for bail at the North London Police Court, as disclosed before Mr. Justice Mathew in the case of Richard Hall, he will take steps to insure the adoption of such procedure in all Police Courts and police stations as will prevent any such mistake as was disclosed in the case of Richard Hall; whether he is now aware that Richard Hall, although protesting that he had been personated by some person unknown and was being wrongfully imprisoned, was nevertheless imprisoned without any opportunity being given to him of proving the truth of his story before any Court or Judge; and whether, in view of the fact that Richard Hall was wrongfully imprisoned as a Crown debtor from the 15th March, 1893, to the 21st April, 1893, any compensation will be given to Richard Hall?

MR. ASQUITH: From the inquiries which I have made, it appears that the case of Hall is unique, no similar instance being known to have occurred of a mistake in the identification of bail. This appears to show that the existing practice has worked satisfactorily, but the case of Hall undoubtedly shows a possibility of abuse which ought to be guarded against, and I am considering the best means to be adopted for the purpose. Since notice was given of the question, I have received a Memorial from Hall's solicitors, accompanied by affidavits in which all the circumstances are gone into and a claim for compensation is set up. The matter requires and will receive careful examination, and I am not yet in a position to give a final reply.

## FREE EDUCATION AT PIMLICO.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Vice-President of the Committee of Council on Education whether he has received a large Petition from Pimlico calling his attention to the want of free school places in that neighbourhood, and asking that they may be supplied; and whether he can state what action has been taken on the Petition?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The Department has received a Memorial signed by about 600 persons calling attention to the want of free school places in Pimlico, which was referred to the School Board for London on March 11 with a request for full particulars as to the accommodation available for this district. After more than five weeks had elapsed the Department wrote to the Board pressing for an early reply; they stated in answer that their School Accommodation Committee were collecting particulars which would be laid before the committee at an early day, and thereafter reported to the Board. More than a fortnight has elapsed since, but the Board's Report to the Department has not yet been received.

MR. PICTON (Leicester): Are we to understand that the determination of this question rests solely with the School Board?

MR. ACLAND: It is the duty of the Board to provide a sufficient number of free places, and before that can be done the Board must have the Report of the Committee. I very much regret the delay that has taken place.

## THE TROOPS AT HULL.

MR. KEIR HARDIE (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether he has received a resolution passed by a numerous public meeting of the inhabitants of Hull requesting the Government to withdraw the troops; and whether he will comply with the request; and, if not, whether he will cause an independent inquiry to be made as to the reasons for the continued presence of the soldiers and gunboats?

MR. ASQUITH: No such resolution as that referred to by the hon. Member has been received at the Home Office from any meeting of inhabitants at Hull; but as I have already informed the House on more than one occasion, so long as the Local Authorities are of opinion, and I see no sufficient reason to differ from them, that the presence of the forces is necessary for the maintenance of order, they will not be withdrawn. There has been no collision of any kind between the forces and the people, and I

am satisfied from the reports which reach me daily that their presence has been attended with beneficial results.

#### PRECAUTIONS AGAINST CHOLERA.

**MR. HARRY FOSTER** (Suffolk, Lowestoft): I beg to ask the President of the Local Government Board if he is aware that Dr. Copeman recently paid a visit to Lowestoft as a representative of the Local Government Board, in order to instruct or advise the Port Sanitary Authorities as to the steps to be taken by them for providing against the importation of cholera; that he advised a large expenditure in fresh sanitary arrangements, the purchase of a steam launch, and the increase of the salary of the medical officer and his staff; and, on being pressed by members of the Town Council as to how the expense was to be met, replied that the Local Government Board would not contribute a farthing towards the cost unless the recommendations were carried out in their entirety; what office Dr. Copeman holds in connection with the Local Government Board; whether Dr. Copeman has made similar statements to other Port Sanitary Authorities in the Kingdom; and what course he proposes to take to secure to the Lowestoft Port Sanitary Authorities repayment of the money spent by them on the representations of an officer of the Board?

\***THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.): Dr. Copeman, who is one of the Medical Inspectors of the Local Government Board, visited Lowestoft in March last for the purpose of advising the Port Sanitary Authority as to the steps which it was desirable to take with a view to providing against an importation of cholera. He made certain recommendations to the Port Sanitary Authority with regard to the maintenance of precautions which he already found in operation to some modifications that were, in his opinion, desirable, and to certain additional inspection of vessels which might have to be put into operation if need should arise. The arrangements actually in operation at the date of his visit were held by him to be in the main satisfactory, and he had, therefore, no occasion to advise a large expense in further arrange-

ments. He did not urge the purchase of a steam launch, but suggested some arrangements with owners of steam tugs plying in the harbour. Neither did he recommend an increase of the salary of the Medical Officer of Health of the port. Being pressed on the question of a subvention from Imperial funds, he stated that at that date no decision had been arrived at as to the applications which had been made to the Government on the subject. At the same time, he expressed the opinion that any such contribution, if made, would only be granted subject to the conditions being fulfilled which are necessary to the carrying out of the Cholera Regulations. Dr. Copeman has, in answer to similar questions, made a similar statement in one or two other port districts. The Local Government Board are not aware that the Port Sanitary Authority of Lowestoft have incurred any expenses beyond those for carrying out their duties under the Regulations.

#### MR. BALFOUR'S VISIT TO DUBLIN.

**MR. WILLIAM JOHNSTON** (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he can say if 16 cases of persons injured during the visit to Dublin of the right hon. Member for East Manchester were treated in Mercer's Hospital; and how many of them were respectively Unionists and Nationalists? At the same time, I beg to apologise to you, Mr. Speaker, for having attempted, the other day, to put this in an irregular way.

\***MR. J. MORLEY**: There were, I understand, more than the usual number of persons treated at the hospital referred to for injuries which were inflicted subsequently to the meeting, but, happily, none of the injuries were of a serious nature. The police have no knowledge of the politics of the injured persons. Patients are not classified on political principles.

**MR. W. JOHNSTON**: May I ask is the right hon. Gentleman aware that 15 out of the 16 were, as a fact, Unionists?

**MR. J. MORLEY**: No, Sir.

#### FOREIGN POSTAL RATES.

**MR. HENNIKER HEATON** (Canterbury): I beg to ask the Postmaster General whether he is aware that the United

States Government has established a two cent. letter postage rate from New York to Alaska, crossing Canadian territory ; and that Germany has established 10 pfennig letter postage from Germany to her settlements on the African coast ; and under what clauses of the Postal Union Conventions these rates have been established ?

**MR. A. MORLEY :** I am aware that there is an Agreement between the United States and Canada whereby the inland rates of each country are applicable to correspondence passing into the other country. The Governments concerned did not consult the other parties to the Union on the subject, and probably relied upon the 2nd clause of Article 21 of the Vienna Convention, which recognises the right of the parties to maintain and conclude Treaties, and to maintain and establish more restricted Unions, with a view to the improvement of postal relations. I have no information as regards the alleged rates between Germany and her African Colonies.

**MR. HENNIKER HEATON :** I beg to ask the Postmaster General whether, at the Postal Union Conference at Vienna in 1891, liberty was conceded to this country to establish a postal rate to the British Colonies of 1½d. per letter ; if not, what concession in this direction or freedom of action was obtained ?

**MR. A. MORLEY :** The reply to the first part of the question is in the negative. To the second part I have to say nothing in the nature of a concession in the direction indicated, or freedom of action was or could be obtained in the face of the covenant agreed to by this country, and all the other members of the Union fully explained to the House on the 28th April as to the conditions on which the Australasian Colonies entered into the Union.

**MR. HENNIKER HEATON :** Is the right hon. Gentleman aware that his Predecessor declared that greater freedom of action was obtained on the occasion of the Vienna Convention, and will he say what was meant by that ?

**MR. A. MORLEY :** I was not aware that my right hon. Friend did make that statement. I should be glad if the hon. Member will send me the reference.

*Mr. Henniker Heaton*

#### HAULBOWLINE DOCKYARD,

**CAPTAIN DONELAN (Cork, E.):** I beg to ask the Secretary to the Admiralty whether H.M.S. *Triumph*, the present guardship at Queenstown, is about to be removed ; and whether, in view of the dearth of employment at present existing in Cork Harbour, the overhauling and repairs which she requires will be carried out at Haulbowline previous to her departure ?

**MR. E. ROBERTSON :** There is no idea of discontinuing a guardship at Queenstown, but the selection of any probable vessel for this duty will depend on the requirements of the Service. Arrangements have been made for undertaking such repairs to the *Triumph* at Haulbowline as can be conveniently carried out there.

#### GOVERNMENT EMPLOYMENT FOR SOLDIERS.

**SIR JAMES FERGUSSON (Manchester, N.E.):** I beg to ask the Secretary to the Treasury whether the Committee sitting at the Treasury upon the employment of soldiers by the Departments of Government has yet reported ; and what Departments have as yet offered places preferentially to soldiers ?

**SIR J. T. HIBBERT :** The Committee is, as I have before stated, not a Committee upon the employment of soldiers, but a Committee on the subject of messengers in Public Departments. The Committee presented its Report to the Treasury yesterday, but there has, of course, not yet been time to consider it. The two Departments which employ the largest number of messengers—namely, the War Office and Admiralty—have, the former since 1879 and the latter since 1881, filled vacancies in these posts exclusively by men who have served in the Army or Navy (including the Marines).

**SIR J. FERGUSSON :** Will the right hon. Gentleman lay Papers on the Table if I move for them ?

**SIR J. T. HIBBERT :** I will consider that.

#### LODGERS' LETTERS.

**MR. LABOUCHERE (Northampton):** I beg to ask the Postmaster General whether there is any objection to a person changing his lodgings, notifying the Post

Office of the change, and having his letters officially re-directed to the new lodgings, as in the case of householders?

**MR. A. MORLEY**: The movements of that part of the population which inhabits lodgings are somewhat eccentric, and the Post Office would find it onerous and almost impossible to be continually tracing these migratory lodgers even if a notification is supplied. In most cases no difficulty occurs now that re-direction of letters is free, and the Department has gone far to meet the convenience of these persons who make private arrangements to get their letters forwarded. Without making any strict rule, the Department will do its best to oblige lodgers where application is made.

#### COMPENSATION FOR POST OFFICE DELAYS.

**MR. W. F. D. SMITH** (Strand, Westminster): I beg to ask the Postmaster General whether he is aware that a parcel posted by Messrs. Minister to Mr. E. Stovel at Toronto, on the 8th April was, after some delay, returned to the senders because it was said to be insufficiently stamped, although stamped in compliance with the directions given in the current *Post Office Guide*; and whether, under these circumstances, compensation for the loss incurred by Messrs. Minister will be given, and in future care be taken that the directions in the *Post Office Guide* shall coincide with those given to local postmasters?

**MR. A. MORLEY**: It is the case that the parcel referred to was returned in the circumstances stated; and the postage prepaid on the parcel has since been refunded to Messrs. Minister & Company. The law does not impose on the Post Office the payment of consequential damages in such a case; nor have I any funds available for the purpose, and I regret that I cannot, therefore, compensate Messrs. Minister & Company. The mistake arose from the fact that unforeseen delay occurred in carrying out a reduction of the rate which, when the *Post Office Guide* was sent to press, was expected to come into force by the date of publication.

#### REVOLVERS AT HULL.

**MR. THOMAS ROBINSON** (Gloucester): I beg to ask the Secretary of State for the Home Department

whether he has seen the statement made in the *Sunday Chronicle* of 30th April, to the effect that a large number of the men engaged at Hull are armed with revolvers and life preservers, in proof of which it is said the local gunsmiths have cleared out their stock of these articles several times during the present strike; and whether these persons have taken a licence to permit them to carry firearms; and, if not, what steps he intends to take in the matter?

**MR. ASQUITH**: I am informed by the Chief Constable of Hull that it is the fact that there has recently been a considerable increase in the sale to the inhabitants of revolvers and life preservers. The Chief Constable is not aware, and has not the means of ascertaining, whether the purchasers have taken out or possess the necessary licences. It is a matter for the officers of the Inland Revenue, who will no doubt see that the provisions of the law as to licences are enforced.

**MR. R. G. WEBSTER** (St. Pancras, E.): May I ask whether, in case the Government are unwilling to protect the peaceable inhabitants of Hull, they are not right in doing their best to protect themselves?

[No answer was given.]

#### INDIAN HOSPITAL STAFF ALLOWANCES.

**DR. MACGREGOR** (Inverness-shire): I beg to ask the Under Secretary of State for India if he will lay before the House a Despatch signed by General Wilson, then Military Member of the Council of the Governor General of India, sent to the Secretary of State for India about the year 1880 or 1881, recommending the grant of the staff allowance for medical officers in charge of hospitals of Her Majesty's troops in India, with the reply thereto of the Secretary of State for India; and also the Memorials of the brigade surgeons in India to the Secretary of State for India in 1886, asking to have extra pay given on account of the onerous duties they had to perform, with the reply of the Secretary of State thereto?

**\*MR. G. RUSSELL**: The question of the pay of the Medical Staff in India is now under the consideration of the Secretary of State in Council, and it would



not be desirable to present the Papers relating to this subject in an incomplete state.

#### REGULATIONS AS TO PETITIONS.

MR. FELL PEASE (York, N.R., Cleveland): I beg to ask the Chairman of the Public Petitions Committee if it is in Order for one individual to sign two or more Petitions on the same subject as a member of different Societies or Bodies in one locality; whether if a person signs any Petition as an individual he is at liberty to sign a Petition upon the same subject as chairman of a meeting or company; and in the event of these being answered in the negative, can any steps be taken to prevent the practice of signing duplicate Petitions?

THE CHAIRMAN OF THE PUBLIC PETITIONS COMMITTEE (Mr. M'LAGAN, Linlithgow): It is not in Order for one individual to sign two or more Petitions on the same subject as a member of different Societies or Bodies in one locality; but if a person signs any Petition as an individual he is at liberty to sign a Petition upon the same subject as chairman of a meeting or company. Duplicate Petitions are returned to the hon. Member who presents them accompanied generally by a note indicating the particular Rule transgressed. A copy of the Rules on the subject is sent every Session to each Member for his own use and for distribution in his constituencies.

#### DISTURBANCES AT CLONMEL.

MR. DANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a large mob paraded the town of Clonmel on the night of Saturday, the 22nd March, and stoned the houses of Protestants who had not illuminated their windows in honour of the Second Reading of the Government of Ireland Bill; has any person been apprehended; and will the Irish Government take steps to prevent a recurrence of such a state of things?

\*MR. J. MORLEY: The account is decidedly exaggerated. Stones were thrown on the 22nd April at the windows of the house of one person only, breaking three panes of glass. There were many other houses not illuminated, but this was the only one that suffered any damage. No one has been made amenable.

*Mr. G. Russell*

#### BOYCOTTING IN FERMANAGH.

MR. DANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the wife of a man named Peter Corrigan, living near Belcoo, in County Fermanagh, is being boycotted for the taking by her husband of an evicted farm; that she has been persistently boycotted in the Blacklion market, and butter and egg merchants warned against purchasing from her; and that she was assaulted at Belcoo on the 22nd March by a man named M'Grory, and pursued by two men with blackened faces on the Ora Mountain on the 5th April, who threatened her life unless her husband gave up the land; and has any action been taken by the police authorities towards affording her protection and prosecuting her assailants?

\*MR. J. MORLEY: There appear, I regret to say, to be grounds for the statements in the question. Prosecutions for assault and boycotting have been ordered, and will be heard at Petty Sessions on the 19th instant.

#### THE ENGLISH AND WELSH COUNTY MAGISTRACY.

MR. HENRY HOBHOUSE (Somerset, E.): I beg to ask the Secretary of State for the Home Department what is the total number of County Justices in England and Wales; if he can state the average number appointed every year; the number of the Lord Lieutenants who at present appoint; how many of these Lord Lieutenants were appointed by Liberal and how many by Conservative Governments; and whether there are any recent instances of appointments of County Justices by the Lord Chancellor without the intervention of a Lord Lieutenant; if the present Lord Chancellor is correctly reported to have told a deputation that he was ready to assume the direct appointment of all the County Justices on the passing of such a Resolution as now stands on the Paper for the 5th May; whether he intends, in that event, to deprive the Lords Lieutenant of their present right to recommend for the Commission of the Peace; and whether the Lord Chancellor, in deciding to act on such Resolution in England and Wales, intends to have any regard to the constitution of the majority by which it may be carried?

**MR. ASQUITH :** The total number of County Justices will appear from the Return promised by the Home Office. Until the Return is presented, the figures cannot be given. The average number appointed every year can be ascertained from the same Return. The number of Lords Lieutenant is 60—24 were appointed by Liberal Governments, and 36 by Conservative Governments. There are no records kept which would show whether there have been recent instances of appointments of County Justices without the intervention of the Lord Lieutenant. What the Lord Chancellor intimated was that, if a Resolution were passed by the House of Commons, indicating that he ought not to confine himself to the recommendations of the Lords Lieutenant only in considering what appointments ought to be made to the Bench, he should pay regard to such Resolution. The answer to the last part of the question is "No."

**MR. H. HOBHOUSE :** Can the right hon. Gentleman, before the Debate comes on on Friday, give an approximation of the numbers asked for?

**MR. ASQUITH :** No, Sir; I am in no better position than anyone else.

**MR. J. E. ELLIS :** Can the right hon. Gentleman tell when the Return will be presented?

**MR. ASQUITH :** I am not able to do so.

#### COMMUNICATION IN THE ISLAND OF LEWIS.

**MR. WEIR :** I beg to ask the Chancellor of the Exchequer whether, in view of the development of the fish traffic between Ireland and Holyhead since the recent construction of light railways in the West of Ireland, steps will be taken to provide light railway, or road tram communication, in the Island of Lewis for the purpose of opening out the fishing industry around the island, and placing the food supplies obtainable there within reach of the southern markets?

**SIR G. TREVELYAN :** I will answer this question. A new fishing harbour is now being constructed on the West Coast of Lewis, and a road is being made from there across the island capable of carrying rails should they be required. At present it would be pre-

mature to lay a railway, or until it is seen what impetus is given to the trade by the new harbour and road.

#### POOR LAW GUARDIANS AND CONTRACTS.

**MR. HAYDEN (Roscommon, S.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it has been reported to the Local Government Board that the Vice Chairman of the Swinford Board of Guardians is interested in the contract for the supply of meat to the workhouse; and what steps has the Local Government Board taken in the matter?

**\*MR. J. MORLEY :** A complaint on this subject has been made to the Local Government Board, who have been informed by the Vice Chairman that he is neither directly nor indirectly concerned with the meat contract; that his mother is the contractor, and that he receives no profits out of her contracts. The propriety of making further inquiry into the facts is now under the consideration of the Local Government Board.

#### THE RE-INSTATEMENT OF EVICTED TENANTS IN IRELAND.

**MR. ARNOLD-FORSTER (Belfast, W.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, in view of the undertaking given by Her Majesty's Government to support a Bill for the re-instatement of evicted tenants in Ireland, he will inform the House whether the Government propose to give facilities for the passage of the Bill of the hon. Member for North Leitrim during the present Session of Parliament?

**\*MR. J. MORLEY :** I think it very desirable that an opportunity should be found for continuing the discussion upon this Bill; but I am not able to say when we can take it up again until we have further advanced with some of the more important Public Business.

#### THE MASHONALAND DEVELOPMENT (WILLOUGHBY'S) COMPANY.

**MR. LABOUCHERE :** I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to an advertisement in the public Press of the prospectus of the Mashonaland Development (Willoughby's) Company, in which it is stated that the promoter of the company has obtained

from the British South Africa Chartered Company a concession of 600,000 acres of land in any part of Mashonaland, outside a radius of three miles of any proclaimed goldfield or established township; whether the entire land of Mashonaland belongs to the Chartered South Africa Company; if so, from whom possession has been obtained; whether the vendor himself was the owner of the entire land of Mashonaland, and had a right to sell it irrespective of the assent of its inhabitants; whether this assent was obtained, and, if so, how and when; and whether such sale has been sanctioned by Her Majesty's Government; and, if so, whether any investigation of the title of the vendor took place, and any stipulations were made with regard to the native population?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I have seen the advertisement referred to in the first paragraph of the question. The British South Africa Company are assignees for value during a term which has 98½ years to run, of the rights of Lo Bengula to grant and lease farms, grazing grounds, and town areas, in Mashonaland, and to hold for their own benefit the rents and other profits arising from such grants. The company acquired these rights from one Edward Amandus Lippert, to whom Lo Bengula had granted them. If by "vendor" in the third paragraph of the question Lo Bengula is meant, the answer is that Lo Bengula has control, as paramount Chief, though he probably has not the sole ownership, of the lands of Mashonaland. The assent of the Mashonas was not necessary to validate the concession, as it covered only that which Lo Bengula had a right to grant. The Lippert concession and its transfer to the British South Africa Company were approved by Her Majesty's late Government. No investigation of the title of the vendor (Lo Bengula) took place on that occasion, and no stipulations were then made with regard to the native population; but Her Majesty's Government had already considered the position and claims of Lo Bengula in the Mashona country, and the right of natives in the company's field of operations had been safeguarded by Article 14 of the Charter granted to the company in October, 1889.

*Mr. Labouchere*

The whole Lippert concession appears to be understood by the Chartered Company as referring to unoccupied lands. I may add that the Directors assure the Colonial Office that they have no intention of interfering with native occupation in this sparsely-populated country, and that their local administrator, Dr. Jamieson, will be careful not to sanction the selection by Sir John Willoughby's Company of any blocks of land, the acquisition of which would be inconsistent with native rights under the company's Charter.

MR. LABOUCHERE: Is there no one connected with the Colonial Office on the spot to see that the Directors of the company keep their engagements?

MR. SYDNEY BUXTON: We have no administration in Mashonaland, and no right to exercise jurisdiction.

#### INCOME TAX—"SCHEDULE B."

MR. GRANT LAWSON (York, N.R., Thirsk): I beg to ask the Chancellor of the Exchequer what sum was collected under Schedule B of the Income Tax in the year 1892-3; and how much that Schedule is estimated to yield in 1893-4 at the proposed increased rate?

SIR W. HARCOURT: The amount for 1892-3 is £218,000. It is impossible to give the estimate for the coming year 1893-4, because it as yet uncertain how much of that amount will remain in Schedule B or be transferred to Schedule D.

#### RAILWAY RATES IN THE NUNEATON DISTRICT.

MR. NEWDIGATE (Warwickshire, Nuneaton): I beg to ask the President of the Board of Trade if he can now state whether, in spite of the Railway Companies' statement that they were revising their rates so that the increase should in no case exceed 5 per cent., the rates on bricks sent out from the Nuneaton district show an average increase of 12½ per cent?

MR. MUNDELLA: The Papers submitted to me show that increases of rates are complained of, but, on the other hand, they show decreases in some of the rates for bricks charged in the Nuneaton district. I understand that the Railway Companies' Association propose to receive a deputation of brickmakers in order to discuss these complaints, and I hope a satisfactory arrangement may be arrived at.

**SURGEON MAJOR GENERALS WADE  
AND PATERSON.**

**DR. MACGREGOR:** I beg to ask the Secretary of State for War whether he will state the relative amount of foreign service performed by Surgeon Major General Wade and Surgeon Major General Paterson up to that date respectively; and whether he will state if Surgeon Major General Paterson will be permitted to return to England when he shall have completed a total of five years abroad, or whether he is to be considered as now entering on a fresh tour of foreign service in his present rank?

**THE SECRETARY OF STATE FOR WAR (MR. CAMPBELL-BANNERMAN, Stirling, &c.):** Surgeon Major General Wade has had 24 years and eight months foreign service, and Surgeon Major Paterson 23 years and three months. The last-named officer will be relieved at Malta on completing five years from the time he embarked for duty at Hong Kong.

**THE STAMP DUTY.**

**SIR JOHN LUBBOCK (London University):** I beg to ask the Chancellor of the Exchequer whether, in the proposed abolition of exemption from Stamp Duty, it is intended to include the printed stamp of banking houses which is invariably affixed to bills of exchange before presentation, for the sole purpose of indicating the channel through which they have passed?

**SIR W. HARCOURT:** The proposed Stamp Duties do not apply to the documents to which the right hon. Gentleman's question refers.

**COMPULSORY RETIREMENT FROM  
THE PUBLIC SERVICE.**

**MR. GIBSON BOWLES (Lynn Regis):** I beg to ask the Secretary to the Treasury, with reference to the 10th Clause of the Order in Council of 15th August, 1890, which makes retirement from the Public Service obligatory for every officer on attaining 65 years of age, but leaves power to the Treasury, at the instance of a Department, to extend an officer's employment for a further period in no case exceeding five years, whether the Comptroller and Auditor General has construed this Order as applying to all Departments of the Public

Service, and endeavoured to enforce its observance upon them; and whether the accounting officers of eight Departments—namely, the Diplomatic and Consular Service, the House of Lords, the House of Commons, the Supreme Court of Judicature (England), the Courts of Session and Justiciary (Scotland), the Crown Solicitor's and Sessional Crown Solicitors' (Ireland), the Supreme Court of Judicature (Ireland), and the Dublin Metropolitan Police Magistrates have one and all refused to send in any age Returns on the ground that the Order in Council does not apply to them?

**SIR J. T. HIBBERT:** The answer to the first question is in the affirmative. It is also the fact that age Returns have not been received from the Departments referred to in the second paragraph. The whole subject will very shortly be dealt with by the Public Accounts Committee.

**SMOKELESS POWDER.**

**MR. CUST (Lincolnshire, Stamford):** I beg to ask the Secretary of State for War whether any official of the War Office ever publicly and authoritatively stated the standard of velocity and pressure required in any smokeless powder; and whether he will inform the House what standard is required for the Government 303 magazine rifle?

**\*MR. CAMPBELL-BANNERMAN:** I am not aware of any standard having been laid down as generally applicable; but, in 1890, in a programme for experiments with smokeless powders certain conditions as to muzzle velocity and pressure were fixed. The standard now required for the 303 in. magazine rifle is a muzzle velocity of 2,000 foot-seconds, with a variation not exceeding 40, more or less, and a mean pressure of 15 tons on the square inch, not exceeding 16 tons in any one round.

**A NORWEGIAN ANALOGY TO IRISH  
HOME RULE.**

**COLONEL HOWARD VINCENT (Sheffield, Central):** I beg leave to ask the First Lord of the Treasury if any Reports have been received from Her Majesty's Representatives in Sweden and Norway concerning the differences which are reported to have arisen between the two Parliaments and two Governments of that United Kingdom by reason of the efforts of Norway to

achieve a greater measure of independence; and, in such case, if they can be communicated to Parliament for consideration in connection with the Irish Government Bill?

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): Such Reports as those to which the hon. Member refers have been received. There are two objections to producing them. In the first place, they are of a confidential character; and, in the second place, they refer to actions which are only proceeding and have not yet reached any termination. If the matter were under our own control, the time would not have arrived for communicating the documents to Parliament.

**COLONEL HOWARD VINCENT**: I wish to ask the right hon. Gentleman whether it is not a fact that strenuous efforts have been made by Norway for the establishment of separate Consular representation for that country abroad; and whether a deadlock has not ensued in consequence with Sweden? As the right hon. Gentleman so frequently refers to the example of Sweden and Norway—

**MR. SEXTON**: I rise to Order. Is this kind of political argument to be put by way of question?

\***MR. SPEAKER**: As Notice has not been given of this supplementary question, perhaps it had better be put on the Paper.

**MR. W. E. GLADSTONE**: I can say now in answer to the question everything which I could say if Notice were given. As to the argumentative part of the question, I decline to admit that there is any force or weight in it at all. It is not my direct duty to give an account of the state of affairs in Sweden and Norway; but it is the fact that there is a great controversy going on between Sweden and Norway; and the immediate subject of it is the appointment of Consuls on account of Norway and by Norwegian authority. We must all hope that the difficulties in which a friendly Power finds itself will reach a favourable solution; and I am sure that the hon. Gentleman joins in that fervent hope, notwithstanding any argument which he may think he will derive from those difficulties.

*Colonel Howard Vincent*

**MR. JOHNSTON**: Will the Prime Minister postpone the Home Rule Bill until the controversy in Norway is settled?

#### INDIAN FINANCE.

**MR. MACFARLANE** (Argyll): I beg to ask the First Lord of the Treasury if, considering the grave question of Indian finance, he will consent to the appointment of a Select Committee to inquire into the expenditure in this country which is charged to the Revenues of India?

**MR. W. E. GLADSTONE**: There is no objection to the inquiry proposed, except that we are of opinion that the time has not yet come when the idea of such an inquiry could be properly entertained. We are still waiting for the Report of the Committee which is sitting upon the subject of Indian Currency, and until that Report is in our hands it would not be advisable to take any other steps.

**MR. MACFARLANE**: I am afraid I did not make my question quite clear. I only intended to suggest an inquiry into the question of whether the home charges on India are excessive or not.

**MR. W. E. GLADSTONE**: I perfectly understand my hon. Friend's question. It relates, not to Indian finance in general, but to the question of home charges. That is a subject referred to the Committee for examination: and until that Committee, which is now sitting, has been enabled to arrive at a conclusion, there would be no advantage in making other inquiries.

#### THE EQUALISATION OF LONDON ? RATES.

**SIR JOHN LUBBOCK**: I beg to ask the First Lord of the Treasury whether Her Majesty's Government, having brought in a Bill to equalise London rates in order to carry out the unanimous Resolution passed by the House on 24th February, propose to adopt a similar course with reference to the almost unanimous Resolution passed on 21st March in favour of reducing the excessive length of the hours of labour in shops?

**MR. W. E. GLADSTONE**: I have nothing to add on this subject to the answer which was given by my right hon. Friend the Home Secretary. He

acknowledged the force and weight of the Resolution unanimously passed by the House of Commons, to which, I think, the Government was a party. But he also stated that it was not in our power, at the present time, to make any addition to the engagements which we have already entered into for the purpose of bringing in a Bill on this subject of shop hours.

MR. BARTLEY (Islington, N.): Are we to understand that this social legislation, which so materially affects so large a number of people in the United Kingdom, is to be postponed until the Irish Home Rule Question is finally disposed of?

[No answer was given.]

#### THE TWELVE O'CLOCK RULE.

MR. A. J. BALFOUR (Manchester, E.): I should like to ask the Prime Minister whether he still proposes to put down a Resolution to-morrow for the suspension of the Twelve o'Clock Rule. I wish to ask him whether he does not think that there is considerable inconvenience in abolishing that Rule except for the purpose of finishing a great Debate or under very exceptional circumstances? I would further ask him whether he does not think it possible that all the advantage gained by the abolition of the Twelve o'Clock Rule cannot be gained equally by shortening the length of the speeches to be made? I would undertake on my own behalf—for I suppose I should have to say something on behalf of some of my hon. Friends near me—that, if the Twelve o'Clock Rule is not suspended to-morrow, I would compress such observations as I have to make into not more than 20 minutes. If that example were followed there would be time for nine speakers between 9 and 10, and that would be adequate.

MR. W. E. GLADSTONE: I feel the force of what the right hon. Gentleman has said, and I likewise feel that there ought not to be a deviation from the usual course except as suggested by the right hon. Gentleman—that is, the suspension of the Twelve o'Clock Rule should only be used for the purpose of bringing a great and extended Debate to a conclusion. Further, there should not be any deviation from the usual course when there is any serious inconvenience involved. Particularly am I encouraged

to act on that principle since the right hon. Gentleman has undertaken to set a good example to-morrow night by keeping his speech within certain bounds; but in mentioning those bounds the right hon. Gentleman probably stated the maximum and not the minimum. Under those circumstances, as I made my original announcement contingent, I think it would be wiser that I should not make the Motion, in the hope, of course, that the House may be enabled to arrive at a definite conclusion on the subject under discussion.

#### THE HULL DOCK STRIKE.

MR. KEIR HARDIE: I wish to ask the Home Secretary a question of which I have given him private Notice. Has the right hon. Gentleman's attention been called to the action of the police at Hull, and its effect on picketing; and will he instruct the police not to interfere with the pickets so long as they keep within the law?

MR. ASQUITH: As I only had the Notice on coming into the House, I have had no opportunity of inquiring into the allegations of the hon. Member, but I will see that inquiry is made. It is well known, by the police as well as by all persons concerned, that picketing is perfectly legal as long as it is conducted in an orderly manner and without violence.

#### THE EMPLOYERS' LIABILITY BILL.

MR. J. CHAMBERLAIN (Birmingham, W.): I desire to ask the right hon. Gentleman the Prime Minister a question of which I have given him private Notice—namely, whether, in answer to a question, he stated, according to the report of his speech in *The Times* and *The Daily News* of the 3rd of May, that the Employers' Liability Bill would be taken on Thursday or Friday, and whether he did not, in answer to a further question, state that it would be taken as the first Order before Supply, and whether he is aware that many hon. Members who desired to take part in the Debate upon the question that the measure be referred to the Standing Committee on Law left the House, under the belief that the subject was not to be taken until Thursday, and that, in spite of this understanding, the Home Secretary, at a few minutes before 12 o'clock at night

on Tuesday, obtained the decision of the House, and what steps he proposes to take under these circumstances in order to prevent what appeared to be a breach of faith with this House?

MR. W. E. GLADSTONE: I thank my right hon. Friend for his courtesy in reference to this matter, and likewise for his assurance that the *corpus* of the matter in dispute was a very limited one, and that a renewed discussion upon this matter would only occupy a very few minutes. That being so, I should be very sorry to spend more than a very few minutes in making known my intentions with regard to this subject. My recollection of the matter is clear, and is in perfect conformity with that of my right hon. Friend the Home Secretary. After I had answered a question as to Supply, my right hon. Friend the Chancellor of the Exchequer reminded me of the Employers' Liability Bill, and what I intended to convey to the House was that if that matter which was not likely to occupy any appreciable amount of time were not taken before it would be put down as the first Order on Thursday, I never intended to renounce the right to take it before if we could. As, however, there appears to have been some misunderstanding in reference to the subject, I am prepared, with the general concurrence of the House, to move to rescind the decision which the House arrived at on Tuesday evening, and to put the subject down again for discussion to-morrow.

Ordered, That the Proceedings upon Tuesday, 2nd May, on the Motion for Committing the Employers' Liability Bill to the Standing Committee on Law, &c., be rescinded.

Ordered, That the Adjourned Debate on the said Motion be resumed To-morrow, at Two of the Clock.—(Mr. W. E. Gladstone.)

#### ULSTER AND HOME RULE.

MR. T. W. RUSSELL: I rise to ask the right hon. Gentleman the Prime Minister a question of which I have given him private Notice. The right hon. Gentleman, in a speech which he made yesterday, said—

"It singularly happens that in 1886, in proposing the Irish Government Bill, we did face this very question, and we did state that if the

inhabitants of the North-East corner of Ireland, forming a very small and limited portion indeed of the general community, were resolutely desirous of being exempted from the operation of that Act, we should be prepared to entertain a proposal to that effect, and I believe we made that declaration with the general concurrence of those who are termed the Nationalist Party."

I now desire to ask the right hon. Gentleman to refer me to any authority for that statement. In the second place, I desire to ask the right hon. Gentleman whether, seeing that Mr. Parnell, who was then the Leader of the Irish Party, repeatedly said that Ireland could not spare the services of one single Irishman, upon what basis the right hon. Gentleman has stated that the proposal to which he referred met with the general concurrence of the Irish Party.

MR. SEXTON: I rise to Order. I desire to ask whether this complicated argument of the hon. Member is a matter which can be dealt with in the form of a question?

MR. SPEAKER: I have not seen or heard the question before. I think that the hon. Member should have compressed his question into narrower limits, and should have confined it to asking the right hon. Gentleman upon what grounds he based his statement.

MR. SEXTON: Then, Mr. Speaker, will you request the hon. Member to submit the question for your approval?

\*MR. SPEAKER: I gather that the right hon. Gentleman the Prime Minister is prepared to answer the question now.

MR. W. E. GLADSTONE: I am quite prepared to answer the question. I will give the hon. Member two references. The first and main reference is *Hansard*, vol. 370, pp. 1,053 and 1,054, in which my statement of 1886 is contained; and, secondly, to vol. 372, pp. 1,219 and 1,220, where a passage is given in which I stated that we had never receded from that original statement. Then the hon. Member asked me what authority I had for saying that that proposal was received with general concurrence by the Irish Nationalists. I rather think that what I said was "concurrence or acquiescence," because I thought at the time that "concurrence" was a rather strong expression.

MR. T. W. RUSSELL: I quoted from the report of the right hon. Gentleman's statement in *The Times*.

Mr. J. Chamberlain

MR. W. E. GLADSTONE: I am pretty certain that I used the words "concurrence or acquiescence." My impression was that the Irish Party did acquiesce in the adoption of even so extreme a proposal, provided by means of it they could open a road to peace in their country. What I understood Mr. Parnell's language to mean was an earnest deprecation of such a proposal, speaking in the same spirit by which O'Connell was always governed in his great desire to see that Ireland should move in unison. I most cordially concur in the statement that Mr. Parnell would not be opposed to such a proceeding, provided it were found that it offered concord to Ireland instead of the present painful disagreement.

### MOTION.

#### SHIPPING FEDERATION.

##### MOTION FOR ADJOURNMENT.

MR. HAVELOCK WILSON, Member for Middlesbrough, rose in his place, and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, viz., "the contravention of certain Acts of Parliament by an organisation named the Shipping Federation, Limited, and the supplying of the Forces of the Crown on the occasion of Labour Disputes;" but the pleasure of the House not having been signified, Mr. Speaker called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen:—

MR. HAVELOCK WILSON said, the Shipping Federation was founded some two or three years ago. He was not sure whether it was a legal Association. He was sure that since its foundation it had acted in a most illegal manner in its relations with trade organisations. They were told at the beginning by the Executive Committee of the Federation that it was not founded for the purpose of interfering with Trades Unionism; that it was to protect the shipowners generally throughout the country from aggressive action on the part of organisations of workmen; but that there was no intention to deny the right of existence to those organisations, or to interfere with the wages of the workmen. They said that their sole

object was to secure freedom of contract on the part of the workmen, and to protect the workmen from themselves. The first thing that the Federation did when it commenced active operations was to engage professional libellers—men whose business it was to travel from place to place libelling the leaders of Trades Unions. When those leaders took action to defend themselves, the funds of the Shipping Federation were placed at the disposal of these agents to meet the action brought against them. The second act of the Federation was to pay numbers of men to join workmen's organisations for the purpose of creating dissension in the ranks of those who belonged to them—in order to make the public believe that the workmen themselves were not all agreed on particular points. In his (Mr. Wilson's) evidence before the Royal Commission on Labour, he placed ample proof before the Commission that the Shipping Federation—this body of capitalists who had no intention of interfering with workmen's Trades Unions—did employ men for the purpose he had indicated. More than that, in 1891, when they had the first great dispute with the Shipping Federation, the Federation employed men in Cardiff to concoct false evidence. Men were paid to go into the witness box at his (Mr. Wilson's) trial in Cardiff and swear falsely to get him convicted. The case which was brought before the Court at Cardiff was not a Shipping Federation case. He was charged by certain boarding masters in that town with taking men from their boarding houses and inciting those men to riot and unlawful assembly. Very strange it was that the Shipping Federation should place their funds at the disposal of the prosecution in order to get him convicted—though he did not know that he should be sorry, because he did not feel any ill effects of it. They did not succeed, however, in getting a conviction. Since then there had been many disputes, and he was convinced that if the Shipping Federation continued to act in the illegal manner in which they were acting now, the country had only seen the beginning of many disputes which would take place in every port throughout the Kingdom, and the trade of the country, they might be sure, would not be improved in consequence. On every



occasion on which a dispute took place the Shipping Federation immediately applied to the authorities for the services of the military and the navy. He did not object to the military being called in for the purpose of preserving order at any time. He believed that it was the duty of the authorities to preserve the peace, and that they would be lacking in that duty if they did not take every precaution. But he thought the responsibility for breaches of the peace should be placed on the right shoulders. At the present time it was all being placed on the shoulders of the workmen. They were told that the workmen in Hull had broken the peace, and that there had been riot and bloodshed. But there had only been three convictions in the town up to now. In spite of the fact that they had in Hull an unlimited number of policemen, there had, he repeated, only been three convictions. There could not, therefore, have been a large amount of riot and disorder. But he held that the Shipping Federation was responsible in the first place for the disturbance which had taken place. Had two or three Unionist officials representing the workmen been allowed to speak to the free labourers and put the case before them there would have been no riot and no disorder, though he was convinced there would have been few free labourers remaining in Hull at the present time. But it was part of the business of the Shipping Federation to create disorder, so as to get in the military and policemen to intimidate and overawe the workmen—that was their policy; but there was another direction in which these gentlemen acted illegally, and he was surprised that the Government did not put the law in force with regard to employers as well as workmen. If there was an Act of Parliament which made it illegal for any unlicensed person to ship seamen, the employers had no right to the liberty to break that law. The Shipping Federation—this innocent organisation which had no evil intention towards workmen's organisations—had, ever since its commencement, insisted upon sailors and firemen taking what was called the Federation ticket. They said that the ticket meant nothing; that it was simply a piece of parchment testifying that the holder, when he signed articles, would perform his contract and

go on his voyage. The men would, however, resist it as long as they had any money to fight with. The shipowners stated that their organisation was not for the purpose of interfering with wages. But what was the fact? Seamen in 1891 were paid something like 3s. 6d. a day and their food. That was at a time when all the men had the Union's ticket and not the Federation ticket. Since then, however, through the tyranny of the Shipping Federation and their officials, the men had been compelled to take the Federation ticket, with the result that their wages had been reduced to 1s. 9d. a day. What was this for a seaman or fireman to maintain his wife and family upon? He could give hundreds of cases in which respectable, reliable seamen had got notice of a reduction of their wages from the captain when on the point of signing articles. On their refusal to do so the professional blackleg procurers of the Federation had got incompetent men—men who, when they got on board a ship, were sea-sick, and men who did not know the steering-wheel from a cart-wheel. Two years ago he brought a specimen of these land-sailors from Cardiff to the late President of the Board of Trade (Sir M. Hicks-Beach), and the man told the right hon. Gentleman that he had never smelt salt water in his life. These were the men on whom the Federation fell back when they could not get respectable men to accept their 1s. 9d. a day. The country paid large sums of money for the Board of Trade, and he failed to see what good that Department was so far as protecting the lives of the men was concerned. When a qualified seaman signed an agreement to go on board a ship with a certain number of other men he expected that, at least, he was going to get reliable shipmates. But when once he had signed and commenced his voyage, if he found that his shipmates were incompetent, and that, as a consequence, he had to do their work, he was practically powerless to refuse. If he did refuse the Merchant Shipping Act was put in force, and he might be brought before shipowning Magistrates who would sentence him to imprisonment of not more than six weeks, expressing regret, in some instances, that they could not go beyond that period. The Board of Trade was supposed to protect sea-

men from imposition, but it did nothing of the kind. Instead of preventing incompetent men being put on board ships by crimps, these officials of the Board in many ports had encouraged the crimps to get incompetent men, because these officials, when the men had gone on the voyage, were able to get a share of the advance note. It was a difficult matter for him to prove that these officials got a share of the advance note ; but, nevertheless, it was very suspicious to see Board of Trade officials going down to houses of crimps and drinking with those crimps on a Saturday afternoon at the end of their week's work. He had called the attention of the Board of Trade repeatedly to this illegal supplying of men by the Shipping Federation and by the crimps in cases of labour disputes. The Board of Trade had refused to interfere, because they said it would not be right for the Department to interfere in a labour dispute. He quite admitted that the Board of Trade had nothing to do with a labour dispute ; but if the law was broken by seaman, fireman, or shipowner, it was the duty of the Board of Trade to put that law in force. It was only a short time since he brought a case under the notice of the Board of Trade in connection with one of the Allan line of steamers, the *Mongolia*, where they were trying to get a 10s. reduction on the men's wages. The men refused to accept the terms. The officials of the Federation at once applied to noted crimps, who employed runners to collect hands out of the casual wards of the work-houses, from tramping dens, and from men discharged from gaols. Out of some 20 men who signed as seamen in this vessel, 16 were unable to prove one day's service at sea, and out of 30 firemen not more than five had ever been at sea. The Board of Trade had had evidence of these facts, and yet had failed to put the law in force. The hon. Member went on to quote from the 147th section of the Merchant Shipping Act to show that if any person not licensed, other than the owner or master of a ship, or some other person directly authorised by them, engaged or supplied any seaman or apprentice for a ship, he should, for every seaman or apprentice so engaged or supplied, incur a penalty not exceeding £20. The Act also provided for

the imposition of a penalty on any person who employed an unlicensed person to engage seamen or apprentices. The law was perfectly clear, that no person should supply seamen for any ship, except those who were specially licensed by Act of Parliament. At one time the Board of Trade used to grant special licences to certain people ; but that practice had been discontinued. Despite the law in this respect, the Board of Trade had allowed the shipowners to start an organisation which undertook not only to supply, but to engage seamen in the United Kingdom. The Board of Trade ought to have stepped in to prevent this, because it was inflicting great injury upon the resident seamen in many of our seaport towns. Under present circumstances, if a seaman wanted to be engaged, he must go to the Shipping Federation Office. There was one in each seaport town. A condition of getting employment was that the seaman must have a Federation ticket—preference being given to the men who had that tickets. Many cases had been brought under his notice in which respectable married men had arranged to go with a ship. When they had gone to the Federation Office the agent in charge had told the captain—"You cannot take those men ; you must take these men." It was within his knowledge that certain boarding masters in Shields and Sunderland gave preference of employment to men who stayed in their houses. When the captain came to engage his crew the officers in the Federation Office pointed out the men that the captain had to take. Captains, and he should add engineers, had no choice in the matter. They said that they should be allowed the liberty to engage their own men, but the Shipping Federation said—"No, you shall not have that liberty. That must rest with the officials of the Shipping Federation." He thought that the President of the Board of Trade would admit that that was a serious hardship upon the resident seamen in our seaport towns. Why should they be elbowed out of employment in preference to men who might be supplied to the officials of the Federation by boarding masters ? These boarding masters were, of course, not particular as to who should be engaged. They preferred that the Federation should take the men who came into their boarding houses at

5 o'clock in the evening and were ready to ship the next morning. The boarding masters supplied the outfit of clothes, which cost about 6s., and were charged about £2 or £2 5s.. When the boarding master, to meet this debt and the other expenses, got the advance note, the officer of the Federation came to get a share of it. The Board of Trade could prevent this at once by giving notice to the Federation officials that if they supplied men the Act would be put in force. The Board of Trade had done this before. They did it in 1890, when the Federation first started. In Glasgow one of the officials was brought before the Sheriff and fined £20, and it was only after a deputation of shipowners had waited on the late President of the Board of Trade asking that the law should be altered to allow the Federation to supply men (as they had taken counsel's opinion, which was that it was illegal for them to do so) that the right hon. Gentleman said that so far as the Board of Trade was concerned they did not intend to take action in such cases, but to allow the shipowners to supply men by the use of the Federation. The late President of the Board of Trade had no right to give that privilege. No Minister had a right to suspend an Act of Parliament to accommodate shipowners or anyone else. They were ready to put the Act into force so far as workmen were concerned. They should be ready to put it into force as regards employers. As to the dispute in Hull, it was difficult to find anyone who could give an explanation as to what was in dispute. They were told by some that it was all about a simple piece of parchment. The Federation ticket people had said—"Would it not be wise to take the Federation ticket? If the Union men take the ticket they could elbow out the non-Union men, and thus keep their Unions intact." That was all very well. Some time ago, acting on the advice of friends, he allowed some of the men he was associated with to take the ticket. The result was to enable the shipowners to get men entirely at their own price. This was owing to the way in which the competition of inferior men was brought to bear. The agents of the Federation always had a number of worthless men at the Federation Offices ready to sign on at any terms. They had heard much about sweating in the House. When

shipowners compelled men to go to sea for 1s. 9d. a day, what was it but sweating? The sweating in the tailoring trade and other industries was not equal to the sweating in the shipping trade. It would not be so hard if it was constant employment which the men got; but when a man signed, say at Cardiff, for 1s. 9d. a day for a six weeks' voyage, and was discharged from his ship, say at Shields or Glasgow, and then had to pay his railway fare home to Cardiff, it would be seen that the terms were oppressive in the extreme. All this had been brought about by the Shipping Federation, and there was, therefore, every justification for resisting such tactics as they intended to do. The disturbance at Hull was a very remarkable matter, and was really due to the Federation of Shipowners. He had been watching the action of the Shipping Federation very closely, and they were informed that this Free Labour Exchange was a great combination of capitalists. It was composed not only of shipowners. They were told that it embraced a number of employers of labour; but for various reasons their names were kept quiet. They were told that shipbuilders and even coal miners—he was now quoting what had been said in employers' papers—had joined this Free Labour Exchange, and that it was their intention in every industrial centre to open a Free Labour Office, and thus compel men who wanted employment to register their name and address, and to undertake at all times to go from one town to another to take the place of men who might be out on strike either for an advance of wages, or to resist a reduction of wages, or to resist the hours of labour. He had with him one of the forms issued by this Free Labour Exchange, which was another name of the Shipping Federation, and the form they asked the men to sign was a form to be used when a labour dispute was pending or anticipated. As soon as an employer of labour connected with this Free Labour Exchange anticipated there was going to be a dispute in connection with his trade, he communicated with the Free Labour Office, who set their agents to work in every town throughout the country, and then they applied to the men who had signed on their list to go from one town

*Mr. Havelock Wilson*

to another and take the place of the men who came out on strike. If ever the employers succeeded in getting organised regiments of free labour men, to that extent he was certain that there would be serious and grave cases of disorder in this country, because when workmen found that their only means of protection—namely, their organisations—were crippled and weakened to such an extent that the employers were in a position to crush them by the unlimited supply of free labour men that they would be able to put into the market at any given time—if that state of things were allowed to exist he was certain that riot and disorder would be rampant in every town throughout the country. And it would have to be faced. He was sorry to think that such a crisis was pending; that it could only be met in one way on the part of the workmen, and that was by making our strikes national instead of local. That would be the only means by which we should be able to prevent the employers of labour from crushing our Trade Unions entirely. Where there was a dispute in one port and the employers could get such an unlimited supply of labour from that particular port, Unionists would have no other alternative but to extend the strike to every port in the United Kingdom. He said that the Government had no right to supply the employers with the Military and Naval Forces before there was reasonable ground for anticipating that there would be a riot. He ventured to say that at the early commencement of the dispute in Hull, had the military not been brought into that town and the numbers of policemen who arrived by train and marched down the streets in a body instead of coming in quietly in ones and twos to get to their hotels—that he believed they were treated very liberally—he believed that if they had come in in ones and twos there would have been very little disturbance at all. But here, in order to excite the strikers at the commencement of the strike, these men were marched down in a body, as much as to say to the workmen—"If you do not mind what you are we have all these policemen, and we will let you know what is the matter." As soon as the soldiers were brought into the town nothing would satisfy the Shipping Federation but that they should be

paraded with horses and swords drawn so as to make a great show. What was the meaning of that? It was intended to intimidate the men. Why were not the soldiers kept in the barracks until they were needed? Why was there this useless parade? The first day he went to Hull the place was in a perfect state of excitement, not with strikers but with little boys and girls to see the soldiers; they thought it was some Sanger's circus or something of that kind come into the town, and crowds were parading the streets and looking at the exhibition. There was what the newspapers described as "riotous scenes," and "great scenes of disorder." He said the authorities were at fault. Had they kept their policemen indoors, and their soldiers in the barracks, things would have gone on more smoothly than they did. It was quite right to have the force at their command ready if they should be required. He did not wish to take up the House's time, but this was a very serious matter. There were 10,000 men out on strike at Hull, and there were about 20,000 people depending on those 10,000 men; but he was not alarmed so much at what was going on at Hull as he was alarmed—and the House ought to take steps to prevent it—at the disturbance and fights they might have in the future. A Committee of the House had met one of the most prominent body of shipowners and the President of the Board of Trade. He recognised the interference of the President of the Board of Trade in this matter as of the greatest assistance and the greatest value, and it was very much appreciated by the workmen of the country. What took place was that they had a conference. The hon. Member for Central Hull was a party to that Conference, and, after having discussed this question, they arrived at a basis of settlement which to all parties present appeared to be very satisfactory. The workmen gave up one great point—one that he candidly confessed he thought much of, because he recognised that it was of the utmost importance that Trades Unions should try and have every man in the Union; as long as they had men outside the Union they were a source of weakness to the cause—but the Union men were prepared to concede the point that Union men should work with Non-

union men. They were told that was the beginning of the dispute in Hull—the question of the Union men and the Non-union men working together. Seeing that the workmen conceded that point, he thought that if the shipowners had not deliberately intended it matters would have been arranged. The shipowners were not agreed upon this point. He was certain that if the shipowners could get out of the Shipping Federation, they would only be too pleased to do it; but the people who complained of tyranny on the part of the Union themselves caused shipowners to contribute to the Shipping Federation Fund. There were Members of the House who did not care for the policy of the Shipping Federation, but who were compelled to pay to this organisation, or otherwise their ships would not be insured. This agreement was prepared, and would have been accepted by the shipowners in Hull. He had been informed on reliable authority that the shipowners in Hull agreed to that basis of settlement, and it was only when they went to work with the shipowners, who had everything to gain by the continuation of the dispute, because the trade of Hull was being divided amongst others—it was only then that the shipowners refused to accept the outcome of this conference at Hull as the basis of the agreement which had been come to by the Committee of the House. He said that when the Shipping Federation had taken up that most unreasonable attitude it was the duty of the Government—he did not want favours from the Government—he should be the last man to ask for them—all he asked on behalf of the strikers was, in the first place, that the Board of Trade would put the law in force, and through their officials prevent the illegal supply of seamen. That was not a favour. He considered it the duty of the Board of Trade to do this without any Member of the House specially asking for them to do it. In the second place, he asked the Home Secretary to refuse to supply the Forces of the Crown until such time as was absolutely necessary in the interests of the peace of any particular district to supply them. He asked—he had a right to ask—that the Forces of the Crown should not be at the call of the Shipping Federation; that as soon as they appealed to the Crown an unlimited number of men should be sent down to parade about

the place. That was all he asked. It was a most reasonable request; and seeing the attitude the Shipping Federation had taken up, and having regard to the concessions which had been offered by the dockers and rejected by the other side, he said it was the duty of the Government not to afford them any assistance, but that, so far as the laws of the country were concerned, they should be enforced impartially between employer and worker. That was all he asked, and it was no special privilege. He trusted the Government would put the law in force, and not afford the Shipping Federation any facilities whatever. He moved that the House do adjourn.

Motion made, and Question proposed, “That this House do now adjourn.”—*(Mr. Havelock Wilson.)*

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): My hon. Friend has said—and I agree with him—that this is a question of great interest and of general importance. So far as I am concerned, I will not enter into the merits of the existing dispute in Hull, or as to the general conduct of the Shipping Federation; but I am certain I am only giving expression to the universal feeling which prevails in this House when I say that we earnestly hope a means may be found for speedily putting an end to the dispute, and that a grave responsibility will rest on the shoulders of either party if they refuse to adopt reasonable means for that purpose. The only point I am concerned with—my right hon. Friend the President of the Board of Trade will, no doubt, say a word on the other points—the only other point I am concerned with is the question the hon. Gentleman has raised as to the employment of the Forces of the Crown in this matter. Now, Sir, the hon. Gentleman made the admission—which I was not surprised to hear him make—that the primary duty of the Local and Central Authority is to maintain order; and if for that purpose it is necessary to supplement the local police force by the Naval and Military Forces it is not only the right but the duty of the Government to accede to these demands. The hon. Gentleman seems to be under an impression that the Government have responded to some demand made

*Mr. Havelock Wilson*

to them by the Shipping Federation. I assure him, and I assure the House, that he is entirely mistaken. The Shipping Federation and other employers have applied to the Government for forces to enable these apprehended disorders to be put down. My answer—and it has been the answer of all my Predecessors—the answer to such requests has invariably been the same—my answer was, if you have any complaint of this kind to make, make it to the Local Authorities—they are primarily responsible for the maintenance of order, and Her Majesty's Government will not listen to any demand for the extraordinary use of the Forces of the Crown, unless that demand proceeds from the authority on the spot responsible for the maintenance of peace. Neither the Military nor the Naval Force, so far as I am aware, has ever been sent, nor, so far as I am concerned, will ever be sent to take part in any dispute unless the Local Authority on the spot inform me that the force is presently and urgently necessary for the maintenance of the peace. That is the course followed in the present instance. And I may remind my hon. Friend with regard to the Local Authorities in Hull that the Magistrates, who are appointed by the Crown, have been supported by the recommendation of the Watch Committee of the Corporation of Hull. The Corporation of Hull is a popular elective Body, and the Watch Committee of that Body is the Committee which is primarily entrusted with the control of the police and the maintenance of order. I do not see how we can take upon us the responsibility of rejecting a demand declared by them to be urgently necessary. It is in that spirit, and that only, that Her Majesty's Government have acted in this matter, and I trust my hon. Friend will disabuse his mind of the impression that the Government have taken, or will take, either side in the dispute.

**MR. HAVELOCK WILSON:** I did not complain of the presence of the military in Hull, but I complained of the soldiers parading round the town when there was no necessity for their so doing.

**MR. ASQUITH:** If the Forces are sent to a place a large discretion must be entrusted to the Magistrates and officers of the town as to the use of them. I do not know that this parading has

been attended with serious consequences. My hon. Friend has said the children came out and amused themselves by watching them. But I can say this, after having made careful inquiry: that, so far as my information goes, there has not been one single case of collision between the Naval and Military Forces on the one side and the people on the other, and throughout the time they have spent in Hull they have discharged their duties—their difficult and delicate duties—with the utmost discretion. Any complaint to be made must be made to the proper quarter, and it will be most promptly attended to. I cannot forbear from expressing my admiration, and that of hon. Members on both sides of the House, of the extreme discipline and discretion shown by officers and by men during the whole of this time. I may remind the House that a very valuable service has been rendered by the bluejackets on Her Majesty's gunboats in connection with the fires at the docks. I say nothing whatever as to the cause—it is perfectly certain that the great body of strikers repudiate any connection with the fires—but the fact that these fires occurred, and there is reasonable ground for suspecting, at any rate in one instance, it is the result of incendiarism, shows that, with two hostile parties in a state of industrial warfare, with forces drawn up one against the other, there are certain to be some lawless, ill-disposed men—unconnected with either party, repudiated by the leaders of both parties—who would take advantage, unless there was sufficient force to restrain them, of violating the law. It is to prevent that state of things from arising during a period which, in the opinion of the Local Authorities, was one of emergency, that troops were sent. I trust, after that explanation, my hon. Friend will agree with me that, so far as Her Majesty's Government is concerned, they have acted with strict impartiality, and that the only interest they have to serve in the matter is keeping and maintaining the peace.

**\*MR. KEIR HARDIE** said, it was well to call attention briefly to the origin of the dispute which underlay the discussion which had been raised. It was a fight on the part of the dockers to maintain their right to combine. That was borne out by the reports which

had appeared from time to time in the public Press. *The Daily Chronicle* of the 10th April stated distinctly that the cause of the dispute was a deliberate and systematic attempt on the part of the employers of Hull to break up Trades Unionism. *The Westminster Gazette* of the same date made practically the same statement. He quoted these two papers because they were supporters of the Government in power, and could not be expected to be biased in their statement against a supporter of the Government. The Shipping Federation had refused all terms of settlement and compromise; they had insisted that before a docker should be employed in the Port of Hull he should first join the Free Labour Exchange, which had been explained to be another name for the Shipping Federation. He submitted that it was an illegal conspiracy for a body of shipowners or employers to lay down a law that before a workman could find employment he must first join an organisation of which they were the head, and which had been formed for the purpose of promoting their interests as opposed to his own. It had been decided that one shipowner might not join with another to prevent a third making profits in connection with a certain department of trade. If that were so in regard to a shipowner, it ought to be equally true in the case of a docker. The fact that these men had combined to prevent the dockers following their calling made the conspiracy an illegal one. The policemen at Hull, it had been said, were not competent to maintain order there; and, like the hon. Member for Middlesbrough, he would agree in saying that there might be cases and occasions in which it was necessary to employ the Military Forces of the Crown; but he respectfully submitted that until the powers of the Civil Force had been exhausted, the Naval and Military Forces should not be called into action. And there was no proof whatever—and, in fact, the Home Secretary, in the speech he had made, had admitted that there was no evidence to show that there was any danger of serious outbreaks on the part of the great body of the strikers at Hull. The Home Secretary had said that a few irresponsible persons hanging about the edge of the crowd might commit crime; but

surely the police would have been amply sufficient to keep in order all these misguided persons; and when he admitted that the body of strikers was well-conducted, he took away any case there might have been for the employment of the Military Forces at Hull. The local police had been supplemented by an addition of 324 policemen from other towns and boroughs, including 26 mounted police from the Metropolis. He believed that this was the first occasion on which the mounted police of the Metropolis had been called to do duty outside of the metropolis, save on occasions of Royal pageants. And if the Forces of the Metropolis, which, like the soldiers and the Navy, were under the control of the Government, were to be used in this way in cases of trade dispute it became a serious matter indeed for the working classes of the country. The soldiers had been called in, and it had been denied that they had taken part in the dispute. But he had in his possession letters and telegrams from responsible leaders of the dockers at Hull which went to show that the services of the military were used to aid the black-legs in loading and unloading vessels at the Port of Hull. And they had collateral evidence in support of that statement. The Commander of the troops at Hull, Major General Wilkinson, wrote to the Watch Committee of the Borough of Hull demanding that extra police should be employed, in order that the troops might be relieved of certain duties which were imposed upon them. He wanted to know from the Home Secretary what were the special duties which were imposed on the troops at Hull, from which Major General Wilkinson sought to have his men relieved? It was only when the Major General, who had some respect for the men and the honour of the Army, refused to allow them to perform the degrading work in which they were employed in connection with the strike that extra police were engaged. The complaint he (Mr. Keir Hardie) made against the employment of the soldiery was that, no matter how petty a trade dispute might be, immediately a demand was made for the presence of the military, that demand was never refused. On whose authority was it that the demand was made for the Port of Hull? They were told that the Shipping

*Mr. Keir Hardie*

Federation applied on this or other occasions, and were refused. But the Magistrates of the Port of Hull were the Shipping Federation under another name. The Bench of Magistrates there was made up almost exclusively of ship-owners. The Watch Committee was much divided in opinion concerning the advisability of having the troops at Hull, and the Chairman of the Watch Committee (Alderman Stuart) was personally opposed to—and had given expression to his opposition—to the troops being longer maintained there. No matter how petty a trade dispute might be the military were at once applied for. If it was a case of turning a miner out of his cottage, as was the case at Durham, the military were immediately sent for to parade their power and force. If it was the case of evicting a Highland crofter from his shieling or an Irish tenant from his cabin the military were immediately brought forward, ostensibly for the purpose of preserving law and order, but really for the purpose of taming and breaking the spirit of men who, to paraphrase a well-known sentence, were rightly struggling to maintain their freedom, and to make it easier for the capitalists of the country, in their capacity as employers of labour, to break down the only strength which stood between them and the oppression of the workers—namely, the Trades Unions of the country. He supported the Motion for the Adjournment of the House in order to enter a strong and emphatic protest against this continued employment of the Military Forces in connection with trade disputes. If the Magistrates in the Port of Hull had been made up of dockers instead of Dock Directors, more consideration would have been given to the request before it was complied with; and the fact that the Government, through the mouth of the Home Secretary, had refused an independent inquiry into the case for the continued presence of the military at Hull showed they were afraid to face an independent investigation. They wanted to shield the man who sat behind them, and who was responsible for this dispute being continued. Fair terms had been offered for the settlement of this dispute. The dockers had yielded every point which in the first instance was claimed at their hands; but now the shipowners, growing

bold by the backing which they had received, and by an apparent weakness on the part of the dockers, had enlarged their demands, and declared that unless the dockers submitted unconditionally no return to work would be possible. The military having been prohibited the other day from aiding the blacklegs, the police had started on a new tack, and he desired to ask the Home Secretary whether he had given any instructions to the Chief Constable at Hull to interfere with the pickets whilst in the performance of their duty? He would read to the House two telegrams which he had received that day, one of which formed the basis of a question which he put to the Home Secretary at question time. One of the telegrams read—

“Mounted and foot police last night stopped pickets proceeding lawfully, two by two, at long intervals apart . . . and turned men back.”

He wanted to know why that was done, and would the Home Secretary instruct the police that picketing was legal? That day he had received a telegram from the gentleman who was in charge of the strike at present, in which he said—

“Interviewed Chief Constable. He admitted that the police had instructions to interfere with pickets whilst walking in twos. Declines to say who issued such instructions.”

Now, he considered that was a serious matter. Picketing was admittedly legal. It had been legalised by the House of Commons. Pickets going along two by two could not be said to be an intimidating force; and if instructions were to be given to the police to interfere with pickets legally going about their business, then it practically meant that the Government of the day had declared that striking should be made illegal, because if the Military Forces of the Crown were to be called in to overawe the dockers, and if the Shipping Federation was to violate a law passed by that House, and if the police were to have special instructions to hamper and to hinder pickets in the performance of their duty, it meant that the last weapon left to workmen—namely, striking—their most powerful weapon—was being taken from them insidiously in this way by the powers that be. He trusted his hon. Friend would press his Motion to a Division, in order to test the feeling of the House in regard to the continued employment of the troops at



Hull, and the policy of the Government generally in allowing the Shipping Federation to escape scot free. A more serious battle for labour was never entered upon than that now going on. If the employers succeeded, it meant that the workmen, for a time at least, would be absolutely at the mercy of the employers. That might please the Members of that House who were employers. It might please the Home Secretary, who had never failed to elicit the warmest cheers from the Party of law and order in that House; but the workers in this country wanted to know why it was that, no matter what Government was in power, the side of the employer was taken in opposition to that of the workman? They could understand the Party of law and order cheering the employment of the police and military. It was consistent for them to do so, but in the case of the Liberal Party, who had come into power as the friends of labour, it was dishonest, and it was being untrue to all the professions on the faith on which they had been returned to power. He trusted the House would give no uncertain vote in regard to their opinion concerning the further employment of the Military Forces of the Crown in connection with the dispute going on at Hull.

\*Mr. CREMER (Shoreditch, Haggerston) said, at last the House had heard from the real leader of this movement a statement of the case so far as the difficulties connected with the Hull strike were concerned. He was surprised—he did not use the term offensively—at the ignorance which the Home Secretary had just now displayed. [*Cries of "Oh!"*] Well, he would use the expression want of information—perhaps that would be better—in regard to what had taken place at Hull. He happened to receive from Hull—and had he known that this Debate was to take place he certainly should have brought the communication with him—a letter from a *bonâ fide* leader of the working classes, who was known to the President of the Board of Trade and to many hon. Members of that House, a man who was not in the habit of bolstering up his position by daily advertising himself by puffing paragraphs in the newspapers. The real leader of the working classes he referred to was Mr. Frederick Maddison, than whom no more high-minded or honourable man

could be found in the Kingdom. He wrote him (Mr. Cremer), only a few days ago, statements which he thought the Home Secretary ought to have made himself acquainted with. He described the irritating effect which was produced on the starving men and women of Hull by the presence of the military in that town. He (Mr. Cremer) quite agreed with the contention urged just now so forcibly by the hon. Member for Middlesbrough, that if it was necessary that the military should be sent to Hull, they ought to have been carefully confined to barracks until occasion required that they should be brought out. Instead of that, if Mr. Maddison's statement was true, and he believed it was true—and the information was at the disposal of the Home Secretary—the military were being daily marched up and down the streets of Hull, and Mr. Maddison described the irritating effect produced on the starving men and women, and as being calculated to bring about the very result which the Home Secretary and the Local Authorities appeared anxious to avoid. He therefore thought that a strong case had been made out for the strict confinement of the military within the barracks at Hull, if their presence there was absolutely necessary, and he hoped the Home Secretary would take steps to obtain for himself definite information on that very important matter. He had not the slightest desire to waste the time of the House in further discussing this question. He believed the introduction of the Motion of the hon. Member for Middlesbrough must have a good effect upon the Government, and a soothing effect—at least he hoped so—upon the men in Hull who were contending for what they considered and believed to be their just demands. They only asked—and he thought they were entitled to ask—that the Government should preserve absolute neutrality in the dispute. They only asked that they should have fair play accorded to them; they wanted no privilege, but strict neutrality, and that fair play which always ought to be accorded by every Government whenever a struggle took place between employer and employed. In spite of the advice tendered by the hon. Member for West Ham—who never lost an opportunity of trying to inflict a stab

*Mr. Keir Hardie.*

upon Her Majesty's Government, and in his attempt to do so was always cheered by his friends on the other side of the House—he hoped the hon. Member for Middlesbrough would not consider it necessary to press for a Division on his Motion, but would consider his ends had been served, at least for the present, by having raised this very important Debate in the House of Commons.

MR. JOHN BURNS (Battersea) said, as one who had taken some interest in the Hull dispute, as one whom that House would cheerfully and willingly accord had had some experience in strikes and industrial disputes, he wished to say a few words in favour of the Adjournment of the House. He trusted the hon. Member for Middlesbrough would not follow the bad example of some hon. Members who moved Resolutions, but did not intend to sustain them by going to a Division. He ventured to say that the condition of things at Hull was only the precursor of a worse condition of things, that would inevitably follow throughout every port and industrial district of Great Britain, unless the illegal conduct of the Shipping Federation was resisted by Her Majesty's Government, of whatever political complexion that might happen to be in power, whenever those disputes occurred. With regard to the dispute at Hull and the introduction of the police and military, he wished to call the attention of the Home Secretary, and above all of the First Lord of the Treasury, to the memorable strike that took place in London nearly four years ago. They had in connection with that great dock strike in London at different periods from 50,000 to 100,000 unskilled labourers on strike for a period of six weeks. During the whole of that period there was not a single Police Court case arising out of the strike. There was no criminal outrage, and no physical intimidation of any character. If there had been any physical intimidation on the part of the strikers, he was positively convinced that the late Home Secretary would have put it down with that firmness and with that discretion which characterised the Party of law and order to which the right hon. Gentleman belonged. But what happened? In that London strike the police were kept in reserve. There the Home Secretary had some thousands of policemen in and around the Docks,

but they were not allowed to go out, and by their presence to morally and physically intimidate the men on strike, who had no desire to intimidate, and who would have been kept from intimidation if the leaders could have had their way. They found that one of the biggest industrial conflicts of all time, owing to the authorities not sending the police and military to be used as they were being used at Hull, that big conflict ended satisfactorily to the men, the public approved of it, and the Forces of the Crown were not unnecessarily obtruded. The men were on their honour to behave. They were anxious not to abuse the law of picketing, and the leaders, to the best of their ability, kept the men within proper bounds; but that would have been almost impossible if the police and military had been used on behalf of the London Dock and Ship-owners, as the police and military had been illegally used at the instigation of the Watch Committee of Hull, who, in this case, had been suborned by the Shipping Federation. The Home Secretary was now, unfortunately, placed in this position—that an ingenious American capitalistic creature named Mr. Laws, whose intention it was, if possible, to establish a Pinkerton police in England similar to that which existed in America—owing to the ingenuity of this American the Home Secretary had been saved the trouble of controlling and organising a Pinkerton police force. He was enabled to suborn the Watch Committee and the Bench of Magistrates, and through them the Military Forces of the Crown, to take the side of the shipowners at Hull to an extent that they ought not to have done. That was only part of the general system of intimidation that prevailed. To-day he had the pleasure of introducing to the Lord Chancellor a deputation of Bristol working men, who came to him with a Petition signed by 12,000 of the citizens of Bristol. That Petition pointed out that, in consequence of the Bench of Magistrates at Bristol being mainly composed of shipowners and men pecuniarily interested in labour disputes, law was being travestied in Bristol; and if a dock labourer got into trouble there, and if a policeman swore evidence against him, the condition of things was such through the Magistrates being industrial—Dr. Jekylls, and magisterial Mr. Hydes—that the docker

would probably say "Never mind the evidence. I am only a docker. Sentence me without hearing my counsel." Not only at Hull, but at Bristol, Liverpool, Glasgow, and Swansea they found that the local police, and the Metropolitan police, as at Hull, and the military were invoked at times of labour disputes, less with the object of preserving law and order, but they anticipated a breach of the peace by bringing in foreign police and bringing in the military was to intimidate the men, and prove to them that they had better submit before the forces of the Crown were used against them. He was prepared to prove that in Hull out of 38 Magistrates four were directly shipowners, and that 19 were pecuniarily interested in the ships or in the docks. That was to say, that 23 out of 38, or a majority of four, were interested in shipping. It seemed to him that if these industrial disputes were to continue, the Home Secretary would have to adopt some means by which Magistrates, other than those pecuniarily interested in these disputes, should assume the ordinary functions of a Magistrate; and if the military and police were to be invoked, it should be done at the instance of a tribunal independent both of the employers and the men. What did they find now in connection with the agents and members of the Shipping Federation—professional agitators like himself, actually attending a meeting of Magistrates where it was decided to invoke the aid of the military forces. Let them just fancy John Burns standing in the guardroom in Wellington Barracks and taking part in a discussion as to whether the Grenadier Guards should not be sent down to the docks of London in order to chase free labour out of the docks! It was as pertinent for him to give that illustration as it was for persons connected with the Shipping Federation, men pecuniarily interested in carrying out their policy, to be present at a meeting of a Bench of Magistrates when they decided to invoke the aid of the military. They were told that that was peculiar to Hull. That was not so. At Cardiff, at Southampton, at Swansea, and on the occasion of a recent dispute at Durham, the police and military were unnecessarily invoked, and in Lancashire during the street collections the masters were not sufficiently decent to

stay from the meetings when questions of street collections for the strikers were being discussed. He wished to point out that if a man made a violent speech he was responsible to the Magistrates and to the law for the consequences of that speech. If a man struck a free labourer, he must put up with the consequences of his illegal physical act; but if the masters did an illegal act, as they had done at Hull and elsewhere, in suspending the right of procession, of public meeting, and the right of picketing, then the Magisterial Bench would be brought into contempt and disrepute, and they would have English law administered, as he trusted it might never be administered, as it had been administered in the western mining town, where the man who owned the coal mines of the district, and who held the freehold of the town, had practically the whole charge of ordering the police and military to fire on a mob simply because it was his pecuniary interest so to do. He read in *The Times* that morning a statement which showed the close relation which existed between the Shipping Federation and the Magistrates. *The Times* stated that a compromise had been reached, and the present idea was that there should be an informal conference between the sub-committees of the Shipping Federation and the Watch Committee to consider whether the work was to be carried on, and that the amount of protection necessary might be discussed. He would assume, for the sake of argument, that protection for free labourers was necessary at Hull, and that it was necessary to invoke the aid of the military. That was a matter for the Watch Committee and the Bench of Magistrates alone as Magistrates, and they had no more right to hold a conference with the sub-committees of the Shipping Federation—a party in this industrial dispute—than they would have to ask the leader of the strike at Hull, Mr. Ben Tillet, to consult with them as to whether or not free labourers should be sent out of the town under the protection of the police and military. He would go further, and would call the attention of the Home Secretary to a statement made by the Chairman of the Watch Committee. Addressing the Town Council on April 9 Mr. Stuart,

*Mr. John Burns*

the gentleman to whom he referred, used this significant remark—

"The members of the Council were chiefly employers. Might he remind them that the display of force unhappily deprived the men of almost their only weapon, if he might say so, for protecting their interests? While it was true that they were only performing a duty in bringing the military there, he could not forget that, in the performance of that duty at Hull, they had prevented the men from using that moral persuasion which was both legal and just."

He, no doubt, meant by that statement that the right to picket was interfered with, as was also the right of Unionist workmen to persuade and try to convert non-Unionist workmen, which was recognised by the law. In a Hull paper of April 10 he found that the arrival of the gunboats was due to the instigation of the Shipping Federation writing to the Admiralty, and not to the Watch Committee or the Bench of Magistrates writing to the Admiralty. They had heard a great deal of the intimidation of free labourers by the Unionists, most of which had been grossly exaggerated, and any of which, if it had happened, he should entirely disagree with, because he believed that the man who said that honesty was the best policy was a scoundrel, though he was right. But what prevailed in the ordinary moral sphere applied to strikes, and intimidation, in the long run, did not pay in strikes. No labour leader, as a matter of tactics, could commend it. But even in the event of intimidation occurring, it was not for the Admiralty to obey the whip of Mr. Laws or the Shipping Federation. It was the duty of the Magistrates, the Watch Committee, and the Town Council, in communication with the Home Secretary, to invoke the aid of the Naval Forces after the Riot Act had been read and there had been some preliminary disturbances which the local police were unable to deal with.

**MR. ASQUITH:** Will the hon. Gentleman allow me to correct a misapprehension of fact into which he has fallen? It is not the case that the gunboats were sent at the instance of the Shipping Federation. They were sent on the demand of the Local Authority, which was approved of by me and communicated by me to the Admiralty.

**MR. JOHN BURNS** said, he had further to point out that 23 out of

38 Magistrates in Hull were themselves pecuniarily interested in the matter, and that of the 15 members of the Watch Committee five were shipowners. That, he contended, was an abuse of the administration of the law, and the sooner the Home Secretary and his Colleagues began to alter it the better for the industrial, social, and political peace of the country. Some time since the Home Secretary, with that ability which characterised him, made an exceedingly eloquent speech, in which he maintained the right of public meeting, the right of procession, and the right of assembly in connection with political, industrial, and social questions. His (Mr. Burns's) contention was, that the position at Hull had been unnecessarily embittered by the arbitrary intervention of an outside police and military, deliberately brought there in accordance with the plan of campaign undertaken by the Magistrates at the instance of the Shipping Federation. He had held at different times of his life various opinions with regard to the law. He started with the opinion that there was one law for the rich and one law for the poor, but every time he was sentenced by English Judges he came to the conclusion that they were almost as impartial as incorruptible, and as just as it was possible for human beings to be. But if they saw in future what was taking place at Hull to-day, what took place at Bristol a month ago, what took place at Southampton 12 months ago, and what took place at Cardiff two years ago—namely, the Watch Committee, the Bench of Magistrates, and the Town Council deliberately using their position as parties in an industrial dispute to invoke the forces of law and order for the purpose of playing their game against the weaker side, against unskilled and hitherto unorganised labour—if that was to continue, there was only one thing for the unskilled labourer of England to do, and that was, to walk about as the unskilled labourer did in America, with either a knife or a revolver in his pocket—his own law and his own authority. They had the fact that free labourers, deliberately armed by the Shipping Federation, were sent from post to post with the deliberate object of provoking strikes and bringing about disturbances, with a view to breaking

down the organisation of unskilled labour. This he could say, that, much as he respected English law, if it was the intention of Mr. Laws to introduce into this country what was known as the free labour police, similar to Pinkerton's police that State after State in America had to put down, he would be opening the flood-gates of anarchy and social and political disorder. Were they going to allow mine-owners, shipowners, or dock-owners to usurp the functions of the law simply because they happened to have wealth, social prestige, and power at their backs? It was because he believed the House of Commons would not allow such a thing as this to happen; it was because he believed the Home Secretary would take time by the forelock and nip this Shipping Federation conspiracy in the bud, that he had interposed in the Debate. It was because he did not desire the strikers to intimidate the free labourers that, on the other hand, he asked the Home Secretary and the First Lord of the Treasury to see that the law was enforced by impartial and honest functionaries, and not to allow either the Town Council or the Watch Committee to play the game of the Federation through the military and the police. It was the duty of an impartial tribunal to see that the law was obeyed, and, if necessary in order to enforce that object, to call in the assistance of military and outside police; but, under the circumstances detailed, he hoped the hon. Member would press his Motion to a Division, so that they could see who were the friends in that House of labour and lawful combination.

MR. CLARENCE SMITH (Hull, E.) said, that, as representing one of the divisions of Hull in that House, he should like to say a word or two, but he would confine his observations to one point. Though his sympathies were entirely with the men in their struggle, particularly since the Federation decided to hold no communication with them or offer any method of solution, he thought it only fair to say that, in his opinion, the hon. Member for Battersea had entirely misunderstood the position of the Watch Committee, who, as the Home Secretary had told them, were the popularly elected representatives of the people. He should like to say that the Mayor of Hull had been for

many years a friend of labour. He was a prominent member of the Liberal Party, and labour at Hull had hardly a more trusted friend. He should like to tell the hon. Member that the Chairman of the Watch Committee, Mr. Alderman Stuart, was for many years a prominent member of the Liberal Party, and one of the most powerful advocates of the interests and the rights of labour. Further, he did not think he was exaggerating in saying that the Deputy Chairman of the Watch Committee was one of the keenest friends of labour in all Yorkshire. Under these circumstances, the hon. Member should, he thought, exempt the popularly elected representatives at Hull from the censure which he had passed upon the other Local Authorities. He had received from Alderman Stuart a communication in which he said—and he thought the House would believe every word—that it would be absolutely impossible to preserve the peace of the town with the force under the control of the Local Authorities. He thought he should not have done his duty if he had not made that statement, which he hoped would induce his hon. Friend to withdraw the words of censure he had passed upon the popularly elected representatives of the people.

MR. FENWICK (Northumberland, Wansbeck) hoped he would not be accused of any want of sympathy if he ventured to submit to the House totally different advice to that which had been advocated by the hon. Member for Battersea (Mr. Burns) and the hon. Member for West Ham (Mr. Keir Hardie)—namely, that a Division should be pressed. He had very great sympathy with the workmen on strike at Hull; for whatever might have been the origin of that strike, whether the men or those who provoked the strike were right or wrong in the course they took, he thought no one would deny that at the present time the shipowners, or, speaking more fairly, the Shipping Federation, had admittedly been—

MR. HAVELOCK WILSON (interrupting) said, he should like to make his position clear on this matter. ["Order, order!"] He was not going to make a speech, but only to explain. He was not going to divide the House on the question of the presence of the military and police at

*Mr. John Burns*

Hull, because there were two opinions on that matter; but there could be no two opinions as to the breaking of the law by the Shipping Federation in contravention of the Merchant Shipping Act, and, unless satisfied on that point, he did intend to go to a Division.

MR. FENWICK said, he was glad to have that explanation from his hon. Friend the Member for Middlesbrough (Mr. Havelock Wilson), because that considerably altered the situation. He had no doubt they would presently hear from the President of the Board of Trade some observations which might possibly lead his hon. Friend to re-consider his decision with regard to the advisability of dividing the House. If there had been a deliberate violation of any Statute Law with regard to the employment of seamen at Hull, he was confident that the President of the Board of Trade would be the very first of all men to take immediate steps to remedy the evil, and to do it to the satisfaction of all concerned. But he was observing that, whatever might have been the origin of the dispute, there was, in his opinion at least, at this moment, not the slightest doubt that the object of the Shipping Federation was to break down the workmen's Union by insisting upon registration in the Labour Bureau and the acceptance of the Federation ticket. He had never been one of those who had maintained that it was the function of a Trade Union to compel or to coerce any man, with or against his will, to become a member of that Union. The peculiarity of the situation at Hull, so far as the military were concerned, seemed to arise out of the fact that the Local Authority, who were responsible for the calling out of the military, were themselves the men who were directly mixed up in this dispute. The situation was an extremely complicated and difficult one. He could not see how the Home Secretary, when applied to by the Local Authority for additional military and police assistance, could have avoided the responsibility of acceding to the application. Had he not done so, he would undoubtedly have incurred a very grave and serious responsibility, which that House would not have been slow to carry home to him had a conflict taken place, and had he refused to strengthen the hands of the Local Authorities, who were responsible

for the preservation of peace and order in Hull. On the other hand, he could not conceal from himself the peculiarity of the situation, which was this: those who were responsible for making application to the Home Secretary for additional forces were themselves the men who were in conflict with the workers. It seemed to him that the first thing the House ought to insist upon was that the military who were at present located in Hull should not be paraded before the gaze of the people. No one, he thought, would venture to submit that there was such excitement at Hull that at any moment there might be an outbreak of rioting and disturbance. No one had ventured to submit that. Then, why this necessity for display—why these parades of the forces of the Crown in the streets? Those parades were in themselves calculated to provoke a breach of the peace and bring about a disturbance. At any rate, he thought they had a right to demand from the Home Secretary, or some Member of the Government, an assurance that proper steps would be taken to ensure that the military should not be called upon to parade the streets unless there was imminent danger of a disturbance of the peace. He hoped, further, they would have an assurance from the President of the Board of Trade with regard to the alleged breaches of the Merchant Shipping Act; an assurance which would satisfy his hon. Friend the Member for Middlesbrough, and which would remove the necessity for putting the House to the trouble of dividing upon this subject. Even, however, if that assurance was not satisfactory, what would his hon. Friend gain by putting the House to a Division? If they did divide, and the majority of the House and the majority of hon. Members were in favour of taking an evening off, what advantage would be gained? No practical advantage, it seemed to him, would be gained. But if the House did go to a Division, he should vote with his hon. Friend, though he trusted he would remain satisfied with having brought the matter before the notice of the House and of the country.

MR. LOCKWOOD (York) was glad to hear from the hon. Member for Middlesbrough that he did not intend to press to a Division that part of his Motion which related to the presence of

the troops in Hull, because he was sure no one who had heard the statement of the Home Secretary could help feeling that, so far as he was concerned, he was determined to do all he could to see that the troops were strictly impartial. He did not suggest that there was any desire on the part of those in command of the forces to be other than impartial; but in the course of this very interesting Debate there had been three points made—points included in that part of the Motion upon which they were called upon to divide—which, as it seemed to him, required answering from some hon. Member on the Front Government Bench. First of all, they were told by the hon. Member for West Ham that members of the Shipping Federation had been present at the deliberations of the Watch Committee when the committee were forming a conclusion as to whether or not application should be made for forces to be sent to Hull. The hon. Member for Battersea (Mr. Burns) drew an illustration of the kind of effect which was likely to be produced if he presented himself at the guardroom at Wellington Barracks and made a similar application. Well, it would probably result in the detention of his hon. Friend; but, at any rate, he did not think he would gain much so far as his application was concerned. Surely, if this statement by the hon. Member for West Ham (Mr. Keir Hardie) were true, if it was a fact that members of the Shipping Federation were present in the Watch Committee at the time of those deliberations, all he could say was that they were very ill-advised in going there. He hoped some further information would be forthcoming on that matter. The second point he wished to call the attention of the House to was this: It was stated by the hon. Member for West Ham that he had received a challenge—which had never been challenged—to the effect that perfectly legal pickets had been interfered with by the police. The hon. Member was perfectly right in his statement of the law that pickets were perfectly legal pickets if they were as he had described them, and when they were not in such numbers as to constitute a force of intimidation. They were about their lawful business; and if it were true that they had been interfered with,

*Mr. Lockwood*

the matter should be inquired into. The Government, which he believed was a Government favourable to labour, would be failing in its pledges if it did not do so. The third point was with regard to the practices of the military; and with regard to that matter he should like to ask the Home Secretary whether it was not a fact that the military taken to Newcastle during the Durham strike there were confined to barracks during the whole of the time? He had received this information from one of the officers of the Royal Dragoons—the same regiment, he believed, as was now in Hull. The advice as to the unnecessary parade was good advice, and he, for one, hoped that steps would be taken to prevent any unnecessary parade of the forces in the present instance. But there still remained the point upon which the House would have to divide, which was a very serious matter, and well worthy the attention of the Board of Trade. The point made by his hon. Friend the Member for Middlesbrough was a good one. For the benefit of hon. Members who were not in the House at the time, he would quote the section again. The Act was 17 & 18 Vict., c. 104, and the particular sections to which attention was directed were Sections 146 and 147, as to the engagement of seamen—

“The Board of Trade may grant to such persons as it thinks fit licences to engage or supply seamen or apprentices for merchant ships in the United Kingdom, to continue for such periods, to be upon such terms, and to be revocable upon such conditions as such Board thinks proper.”

“Section 147.—The following offences shall be punishable as hereinafter mentioned’ (Sub-sections 1, 2, and 3):—‘If any person not licensed as aforesaid, other than the owner or master or a mate of the ship, or some person who is *bonâ fide* the servant and in the constant employ of the owner, or a shipping master duly appointed (Section 145), as aforesaid, engages or supplies any seaman or apprentice;’ or ‘if any person employs any unlicensed person other than persons so excepted as aforesaid, for the purpose of engaging or supplying any seaman or apprentice to be entered on board any ship in the United Kingdom,’ or ‘if any person knowingly receives or accepts to be entered on board any ship any seaman or apprentice who has been engaged or supplied contrary to the provisions of this Act . . . he shall for every seaman or apprentice so engaged or supplied incur a penalty as therein stated.”

That covered the whole ground. Who were these men? They were not ship-owners, nor were they in the constant employ of shipowners. They were the

servants, for the time being, of the Shipping Federation. The Shipping Federation were not in law agents of the owners of ships for this purpose. Those persons were not within any of the exceptions named in the sub-sections to Section 147. If that were so, there had been a breach of the law, and he trusted that the present Government would have the courage to enforce the law against those who had broken it. Perhaps this would be more properly a question for the Solicitor General; but as he was not in his place, he trusted that the Board of Trade would be able to give them some assurance upon the point.

THE PRESIDENT OF THE BOARD OF TRADE (MR. MUNDELLA, Sheffield, Brightside): I shall be glad to explain, so far as I am able without notice—

MR. HAVELOCK WILSON: I gave notice to the right hon. Gentleman three weeks ago.

MR. MUNDELLA: I received no notice that the matter was to be brought forward this afternoon. If it can be shown that the Shipping Federation or anyone else has committed a breach of the Merchant Shipping Act I will undertake their prosecution. I cannot say more than that. I have received during the last few days indignant remonstrances from members of the Shipping Federation for prosecutions which I have already undertaken under Section 148 of the Act—

"If any person demands or receives, either directly or indirectly, from any seaman or apprentice, or from any person seeking employment as a seaman or apprentice, or from any person on his behalf, any remuneration whatever, other than the fees hereby authorised, for providing him with employment, he shall, for every such offence, incur a penalty not exceeding £5."

These clauses were framed against crimping.

MR. LOCKWOOD: Look at the preceding sections. I did not allude to Section 148.

MR. MUNDELLA: I am only stating the course which I have taken with respect to persons connected with the Shipping Federation. With respect to Section 146, the Board has not granted for years past licences to persons to supply seamen, but has allowed the supplies to come in the regular course. I find that my Predecessor was advised by

persons administering the Act that the Shipping Federation, being formed by shipowners, are *bonâ fide* in the employ of the shipowners and could supply seamen.

MR. HAVELOCK WILSON: Oh!

MR. MUNDELLA: Well, the question is one of law, and, if the hon. Gentleman disputes it, he had better test it.

MR. HAVELOCK WILSON: It is not for a private individual to put the law in force.

MR. MUNDELLA: It is constantly done by private individuals. I have no desire whatever to shirk any duty that belongs to the Board of Trade, or to throw on the Association represented by my hon. Friend any duty which properly belongs to that Department. Only let it be made clear that there has been a breach committed by the Shipping Federation, and the Board of Trade will commence a prosecution. I cannot, however, do this in violation of the advice, not only of those who preceded me, but of those who now advise me on matters of law. To make assurance doubly sure I will, however, bring the particular portion of the Act again under the notice of the Law Officers, and obtain the very best advice as to what the state of the law really is. More than this I cannot do in face of the advice already given, that the law does not apply either to the Shipping Federation or to a combination of masters or workmen. I do not think that the hon. Member serves his cause by the statements he has made. He spoke of incompetent men being employed, and he gave an instance; but as there is, I believe, a case pending in regard to that, I prefer to say nothing about it at present further than this—that an inquiry was made into the case of the 16 men on the *Mongolia*, and that the Report is expected every day. I have done all I can to get at the truth of the matter, and have prepared myself to answer questions on the subject, but none were asked by the hon. Member.

MR. HAVELOCK WILSON: I was out of town.

MR. MUNDELLA: Very well, the hon. Member cannot blame me for any delay. The hon. Member said that the Board of Trade officials encouraged crimps and shared the proceeds of advance notes with them. That is an allegation which ought not to have been



made against any men in the service of the Board of Trade unless there is abundant proof of its truth. I do not believe that statement; and it is my duty to disbelieve it, because I believe that they are honourable men, and I did not either in 1886, nor do I find during my present term of Office, that any man in that employ is capable of being bribed into neglecting his duty.

**MR. HAVELOCK WILSON :** It can be proved.

**MR. MUNDELLA :** Let the hon. Member give proof of what has been alleged, and not only will the offending official be dismissed from his employment, but he will also be subjected to prosecution for corruption in the discharge of his duty. With regard to all these matters, whilst on the one hand it is said that I am not impartial in dealing with the Shipping Federation, on the other hand complaint is made that I treat it with undue severity. That is some proof that I have the balance with tolerable equality. I much regret the present dispute at Hull; I have done my utmost to bring about a settlement. It is much to be regretted that the suggestions made have not been acted upon; but if the parties to the dispute had been left alone—if third parties had held aloof—I believe the matter would have been amicably settled. It is only fair I should make acknowledgment of what has been done by the hon. Member for Battersea (Mr. John Burns), who, much to his honour, took a most prominent part in trying to bring about an amicable settlement. He did everything a man could do in endeavouring to narrow the area of the strife and to prevent its extension to other ports of the country. Personally, I recognise as fully as anyone can that if any Organisation sets itself the impossible task of attempting to differentiate between the members of a great Union and non-Unionists in an attempt to break up a workman's Union not only will it ignominiously fail, but it will in the attempt produce disastrous results. I hope the hon. Member will not divide the House, and ask Members, by way of expressing their sympathy, to waste the rest of the evening by a premature adjournment. He will be taunted with such a result if he should be successful, and that would not be in the interest of the cause he desires to

serve. If the hon. Member will bring before me any specific case of illegal employment or illegal supply I will submit it to my Legal Advisers.

**MR. A. J. BALFOUR (Manchester, E.) :** I only wish to deal with one observation of the right hon. Gentleman who has just sat down. He said this matter was brought forward without notice. One result of that is that the right hon. Member for West Bristol (Sir M. Hicks-Beach) is not in his place, and the President of the Board of Trade appears to throw responsibility for the action he has taken on him as his Predecessor.

**MR. MUNDELLA :** The right hon. Gentleman cannot have heard the speech of the hon. Member for Middlesbrough, to which I was replying. I took all the responsibility for what I had done upon myself, and I referred to my Predecessor only because the hon. Member for Middlesbrough complained that his action was wrong three years ago.

**MR. A. J. BALFOUR :** Then I must have misunderstood the tenour of that part of the right hon. Gentleman's speech. I understood that the right hon. Gentleman was not satisfied with the advice on which he had been acting, and prefers to take other advice.

**MR. MUNDELLA :** I have acted upon the advice of the Legal Department of the Board of Trade, but, if the interpretation of a clause is called in question, it is open to me to take other advice.

**MR. A. J. BALFOUR :** If that be so, the right hon. Gentleman's confidence in the advice on which he has been acting is somewhat shaken. ["No, no !"] Well, I will not go into a question with which I am incompetent to deal, but I will confine myself to what I regard as most important—the action not of the President of the Board of Trade, but of the Home Secretary, who, so far as I understood, has behaved as a man holding a responsible position ought to behave in the somewhat difficult circumstances in which he was placed. Observations have been made to this effect: "We do not expect this kind of conduct from a Government pledged to labour interests." I do not believe that this Government or any Government would deserve the name of a Government if it were pledged to either labour interests or to capital interests. Every man in the House, to whatever Party he

*Mr. Mundella*

belongs, will sympathise with the efforts the right hon. Gentleman has made. In this matter there is no question between labour and capital dividing the two sides of the House. The business of the Government is perfectly clear. They ought to maintain the most rigid impartiality in all these labour questions as between the capitalist and the labourer, and use all such forces as are at their disposal, when they may be required, for the preservation of public order and the maintenance of individual liberty. I understood from the Home Secretary that these principles guided his action in this matter. I have every confidence in the statement the right hon. Gentleman has made on the subject, and, therefore, if this matter goes to a Division, I shall be found in the same Lobby with the right hon. Gentleman.

**MR. LABOUCHERE** (Northampton) wanted to know whether they were to understand that the President of the Board of Trade would submit Clause 146 to the Legal Advisers of the Crown, and, if their view supported that of the hon. and learned Member for York, that he would take action upon it?

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): The speech of the right hon. Gentleman opposite, I trust, we may consider as one of approval rather than animadversion, and, that being so, I think there can be no hesitation on our part in commending the doctrine he has laid down with respect to the obligation of absolute impartiality in dealing with matters of this kind. With respect to the question of my hon. Friend the Member for Northampton, it is the clear and manifest duty of my right hon. Friend, in the circumstances, to refer the matter of law which has been raised to-day by a competent authority in the House to the Law Officers of the Crown. It is perfectly plain that in doing so my right hon. Friend is not at all open to the observation that he has been shaken in regard to the advice he has already received. It is the established practice of a Department of the Government in a question in which law is raised to take the advice, not at once necessarily of the Law Officers of the Crown, but of its own Legal Advisers. If their advice be

brought in question and impugned by persons of serious and considerable authority, such as my hon. and learned Friend the Member for York (Mr. Lockwood), it is most natural, usual, proper, and politic that the head of the Department should fortify himself with the highest authority to which he has ordinarily access—namely, that of the Law Officers of the Crown—and it imparts no imputation or suspicion on his part with regard to his ordinary Advisers that he should find it his duty to endeavour to fortify them by reference to a weightier authority. There are only two observations I have to make with regard to the matters in this Debate. I think it impossible not to sympathise, with the principle involved in the remarks made with respect to anything like an unnecessary parade of military forces. It is most impolitic, unwise, and calculated to defeat the very purpose in view, assuming that the forces have been brought upon the ground for sufficient cause. I do not at all intend to say—I have no knowledge of the facts which would justify me in saying—that there has been any such parade. I am not prepared to pronounce any condemnation upon what has been done; but to the principle and the rule to which utterance has been given I entirely adhere; and in the spirit of that rule my right hon. Friend will regulate all his proceedings bearing upon this case. There is another point mentioned which is new to the Government. It is stated that the police in Hull have interfered with what is known as the practice of picketing. Now, picketing is a matter which, in certain conceivable circumstances, may degenerate into abuse. But, apart from abuse, it is legal and has received full sanction, and the interference of the police with it would be entirely discountenanced, and so far as we have the power would be prevented and put an end to by the authority of the Government. I hope that explanation will be regarded as perfectly clear. I am almost tempted to offer a suggestion on my own part, which is this—that if you were to go to a Division the issue would probably be a false one. If the House found it necessary to go to a Division, and there was a large number against the Adjournment and a small number voting in its favour, I am afraid it might be miscon-

strued as showing an indisposition to listen to the claims put forward by my hon. Friend on behalf of the strikers in Hull. I hope, if this question is brought to an issue, it will be brought to an issue in some form less equivocal than a Motion for the Adjournment. I hope my hon. Friend will be disposed to be content, in the interest of those whose cause he has so ably advocated, with the result of this discussion. If he should go to a Division the result may be open to misapprehension.

MR. HAVELOCK WILSON said, he had no desire to put the House to unnecessary inconvenience. He thought that the discussion had greatly benefited the cause he advocated. It had cleared the atmosphere upon the question—a question that was causing much consideration outside the House. He was not quite satisfied with the reply of the right hon. Gentleman the President of the Board of Trade. [*Cries of "Order!"*]

\*MR. SPEAKER: The hon. Member has the right of reply—he is quite in Order.

MR. HAVELOCK WILSON said, he only wanted to reply to one or two remarks made by the right hon. Gentleman the President of the Board of Trade. He (Mr. Wilson) had endeavoured as far as he could to work in perfect harmony with the officials of the Board of Trade, but he had found some disinclination on the part of those officials to work in harmony with him. The action of the officials of the Board of Trade had been most hostile to the men of the Union. As to the statement that the Board of Trade had not put the act in force, he should like to call attention to the fact that two and a half years ago a responsible official of the Board of Trade wrote to the secretaries of the Union to which he belonged threatening them with proceedings for supplying men. As, however, they had the promise that the matter would be submitted to the Law Officers of the Crown, and not the officials of the Board of Trade, he was willing to accept that assurance and withdraw his Motion.

\*MR. SPEAKER: Is it your pleasure that the Motion be withdrawn. [*Cries of "No!"*]

Question put, and negatived.

*Mr. W. E. Gladstone*

## ORDERS OF THE DAY.

### SUPPLY—COMMITTEE.

Order read, for resuming Adjourned Debate on Main Question [2nd May], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate resumed.

### HOUSE OF COMMONS—SITTING ACCOMMODATION.

\*SIR J. GOLDSMID (St. Pancras, S.) said, he proposed to say only a very few words in bringing before the House a matter which affected the convenience of private Members. He had intended to propose a Resolution, and had put the following Notice on the Paper:—

"On Civil Service Estimates, to call attention to the inconvenience caused to Members wishing to find sitting accommodation in the House of Commons, owing to the present arrangements of the House; and to move, That it is desirable that this House should be so re-arranged as to afford every Member a permanent seat."

He was, however, now precluded by the Forms of the House from submitting this Motion. He knew that his proposal was unpopular with, and unacceptable to, the occupants of the two Front Benches, but he quite understood how that was. There was a tendency in all men to be selfish; and as hon. and right hon. Gentlemen on the two Front Benches were always sure of their seats, they were unable to sympathise in any way with private Members, who experienced great difficulty in the discharge of their duties owing to insufficiency of accommodation in the House. The principle of Parliamentary representation was this: that every Member should have a seat in the House. Every Member was returned to sit there. He was not returned to fight for his seat in the House after his return by the vote of his constituents. He was not returned to take part in a rowdy scrimmage at the door with the result that one Member might be knocked down and others injured in order that he might have a place to listen to a great speech from the First Lord of the Treasury—and this was what had happened on the occasion of the right hon. Gentleman's introduction of the Home Rule Bill. As they were a new Par-

liament, as this was a matter affecting all private Members, and as they were approaching another great occasion—namely, the Committee stage on the Home Rule Bill, it was desirable that something should be said on this question. He found that in all Foreign and Colonial Parliaments every Member had a place assigned to him as of right. In 1867 a Select Committee was appointed to consider this question, and re-appointed in 1868. The Resolution of the House, in 1867, was—

“That a Select Committee be appointed to consider whether there should be any alterations in the arrangements of the House of Commons, so as to enable a greater number of Members to hear and take part in its proceedings.”

In 1868 the Committee reported that there were substantial grounds for the complaint that the House was defective in extent of accommodation. If that was the case in 1868, before the number of Members had been increased by the Reform Bill, and when the attendance in the House was neither so large nor so regular as it was now, he thought there was abundant reason now to declare the accommodation insufficient. The Committee had further stated that the increased accommodation necessary could be best afforded by the construction of a new Chamber. On the floor of the House only 306 Members could be accommodated with seats, the total number of Members being 670; so that less than half the Members could be accommodated with seats. In the Gallery 124 could be seated, but could take no part in the proceedings. Besides that, 263 strangers could be accommodated. Compare this with the condition of things in Foreign Parliaments. In Italy, for instance, there were 492 Members of the Chamber, and on the floor there were 492 seats, and, besides that, there were seats also for 452 strangers. Strangers in this House included the Press, and they all knew that there had been frequent and most justifiable complaints from the Press with regard to insufficient accommodation. He had been asked by one or two hon. Members how he would allot seats, and his reply was that that was a small question, which it would be perfectly easy to deal with when the proper time came. It was not necessary to settle it, now the only question they had to consider being—“Has a Member

a right to a seat, and is it desirable that he should take part in a scrimmage to secure one whenever a great event happens in the House?” Some Members—like himself—were busy men, and could not afford to waste hours hanging about the House in order to secure their seats. He thought that now they had popular representation the House of Commons ought to adopt the modern practice that was in force in the Parliaments of all civilised nations—namely, to allocate to each Member a seat, which he should retain as a right in the name of his constituency. There was an impression amongst the occupants of the Front Benches that to give each Member a seat would necessitate a very considerable enlargement of the House, and compel them to adopt the system of speaking from a tribune; but he did not hold that view. Neither could he accept the argument that the question should not be dealt with this year, for the reason that the number of Members from Ireland might be reduced from 103 to 80. He did not think that a reduction of 23 Members would make any material difference in the appropriation of seats, nor did he think there was much prospect of the reduction taking place at all. Two or three good plans had been prepared, showing how accommodation could be given to the whole of the Members on the floor of the House. It would not be necessary, as he had said, to adopt the tribune, which would be contrary to the practice, the experience, and the tastes of Englishmen. If they adopted, say, an oval shape for the House, it would not be necessary to have a tribune. At any rate, something should be done to relieve Members of the necessity to struggle for seats. If there was one thing he detested more than another it was a scrimmage, and at any time he would rather forego the pleasure of being present in the House on an important occasion than go through the indignity of rushing and pushing and fighting for a seat, especially as he had a legitimate title to a seat without it. He had never been able to understand on what principle hon. Members had to obtain a fresh seat every night, and struggle to obtain it, and he thought that over 600 Members ought not to be put to the necessity of trying to obtain accommodation in a House built to accommodate 300.

\*MR. CREMER (Shoreditch, Haggerston) regretted that the hon. Baronet who had introduced this subject was not able to take a Division on his Resolution, though there was reason to believe, from what had happened on previous occasions, that it would not have been adopted owing to the opposition of hon. Gentlemen on the Front Benches. The Front Bench Members obtained their seats no matter how late they were in putting in an appearance, and they were also privileged in having the Table in front of them on which to place their notes and rest their elbows when making speeches. And, forsooth, because these hon. and right hon. Gentlemen suffered no inconvenience, they were not disposed to listen to the legitimate complaints of hon. Members who were not so favourably placed as themselves. The only persons satisfied with the existing state of things in the House were the occupants of the two Front Benches and the hatters—the latter not only because of the damage done to hats in the struggle to get into the House, but because, having no other place to put them, Members about to speak placed their hats on the seat behind them, and very often, when they had finished speaking, sat down upon them. Apart from the Front Bench Gentlemen and the hatters, he did not believe anyone was satisfied with the present arrangement. Visitors to the House invariably exclaimed—"What a small place it is! How do you all manage to get seats?" A Member who was anxious to secure a seat had to come down to the House sometimes as early as 6 o'clock in the morning and deposit a hat upon the Bench. He was told on good authority that in some portion of the building there was a stock of hats kept for such occasions by some hon. Members. Two or three hours before the sitting of the House one of these hats was taken out of a locker and put on the Bench, while the hon. Member, wearing his ordinary hat, marched out of the building. This, he believed, was contrary to the rule or understanding which had prevailed in previous Parliaments. In the endeavour to secure seats other hon. Members sometimes placed a card or a scrap of paper with their names written upon it on the Bench, and some used a glove, or adopted the

meaner device of getting a person about the building to deposit a card on the seat. Members who attended at Committees were privileged to put a pink card in the slot to enable them to occupy the seat in front of it during the Sitting; but it frequently happened that, coming down at 11 or half-past 11 o'clock, they found cards placed on the seats, not by the Members themselves, but by other persons, the Members coming down leisurely to take their seats 10 minutes or a quarter of an hour before the opening of the proceedings. That was taking a mean advantage of Members who had been serving on Committees, and he hoped that some steps would be taken by the Authorities of the House to prevent the practice being continued. He had visited the Chambers of France, Italy, Switzerland, and the United States, and everyone who contrasted the advantages accorded to Members in the Legislative Chambers of those countries with the House of Commons must give their verdict for the proposal of the hon. Baronet. In the French Chamber every Member had a seat allotted to him, and the acoustic properties of the place were excellent. If the right hon. Gentleman the First Commissioner of Works wanted a model for a Chamber, let him go to the Senate House in the Luxembourg at Paris. The difficulty of allotting the seats if the House were enlarged would not be a great one. In the United States the process did not occupy more than three-quarters of an hour at the opening of a new Congress. He thought it had been a mistake to construct the House of Commons in this longitudinal shape, and he would suggest that in any reconstruction which took place one of the walls should be carried back 30 feet, which would render it possible to construct a Chamber of a horse-shoe shape which would provide the requisite amount of accommodation. If that suggestion were adopted, the First Commissioner of Works should be assisted in carrying it out by a number of practical men especially selected for that purpose—he did not mean a Committee like that appointed in the last Parliament to consider certain alterations, which alterations had been made at considerable expense, but which, in the estimation of many hon. Members, were by no means improvements. If a Committee were

appointed without a contingent of practical men upon it he (Mr. Cremer) should oppose it.

\*MR. SHAW LEFEVRE: This matter was discussed at some length on the Vote on Account before Easter, and at the close of that Debate I stated that I would consult the Government on the question. I have done so, and I have now to say that the Government consider that this is a matter for the House, and that if there appears to be a general desire that a Committee should be appointed they will not oppose it. At the same time, their advice is that the Motion for the Committee should not be brought on till next Session. And the reason for that is this: If you look back to the last six or seven Parliaments, you will see that at the beginning of every first Session there have always been many complaints of inconvenience to Members and want of accommodation, and that pressure has been put upon the Government to consent to an alteration of the House. There have been Motions made for Committees and frequent Debates; but hon. Members have always been met by successive Governments with the recommendation that the appointment of a Committee should be postponed until the next Session, and when the next Session has arrived the pressure has disappeared. I am bound to admit that in the early part of the present Session more inconvenience was felt by Members than at any time in the past; but there was an unusual number of new Members in the House who exercised their privilege of coming into the House to take part in its proceedings. That state of things will probably not continue, and, indeed, a considerable change has taken place since Easter. I have made it my business to take careful note of the attendance from time to time; and since Easter I have observed that, although there has been a number of first-rate Debates, on such subjects as Home Rule, the Budget, Egypt, and the Eight Hours Question, at no time has the House been inconveniently filled. On Wednesday there were 500 Members in the precincts of the House; but at the time when the House was fullest I counted the Members present, and there were not more than 200.

SIR J. GOLDSMID: There were over 300 at one time.

MR. SHAW LEFEVRE: That might have been just before the Division.

SIR J. GOLDSMID: No, it was not.

MR. SHAW LEFEVRE: The floor of the House can accommodate 346 Members; so that, even if the hon. Baronet is right, there were 46 empty seats.

SIR J. GOLDSMID: There are only 306 seats where Members are permitted to take part in the Debates.

\*MR. SHAW LEFEVRE: There is sitting room on the floor of the House for 346 Members, and seats in the Galleries for 100. On the last night of the Home Rule Debate, just before the Division, although the two Leaders spoke, there were, excepting the last few minutes before the Division, several empty seats to be found in all parts of the House. I drew from that the conclusion that already other attractions had induced hon. Members not to crowd into the House. We shall have ample experience during the remainder of the Session, and it will be interesting to observe whether the House will be in a normal condition during the prolonged Home Rule contest. If, after that experience, there should be a general desire next Session to appoint a Committee, the Government will assent to it. As to the proposal that the House should be so enlarged as to afford accommodation to the whole of the 670 Members on the floor, I am strongly opposed to it. It may be wise to so enlarge the House as to do away with the existing inconvenience, but to enlarge it so as to provide a seat for every Member is, I think, a proposition which would not be entertained by the majority of Members in the House. I may remind hon. Members that there are very few occasions in the House when there are so many as 550 present. The House will doubtless be surprised to hear that during the present Session there have only been two occasions on which more than 550 Members have voted, and only nine where there were 500. The average number of occasions on which there have been more than 550 Members present, even for the purpose of voting, is not more than two in each Session. It is obvious, therefore, that as a rule a large number of Members are always

absent from the precincts of the House. Under the circumstances it would not be wise to follow the example of Foreign Legislatures referred to by the hon. Member for Shoreditch, and provide seats for all our Members. The hon. Member asked me if I had visited Foreign Chambers. I have; and I must say I deprecate following their example. If we have to find a seat for every Member we shall have to enlarge the House to such an extent that it will be necessary to have resort to the tribune. ["No, no!"] Yes; that is my opinion. We should have to so enlarge the House that it would be impossible for hon. Members to speak in the ordinary way from their seats. We should have to resort to the practice of foreign countries. That would entirely alter the character of the House, and I should be most strongly opposed to it.

\*MR. CREMER: If the right hon. Gentleman has been present at Debates in the Chamber at Washington he will have noticed that none of the Members speak from the tribune. In Continental Chambers it is optional.

\*SIR J. GOLDSMID: I have frequently seen Members speak from their places in the French Chamber.

\*MR. SHAW LEFEVRE: They can speak from their places, but in important Debates they generally speak from the tribune. The difference between those Houses and ours is that in them a large proportion of the work is done in Committee and only a small proportion in the House, whilst here the bulk of the work is done in the House. It is, therefore, desirable that the Chamber in which we sit should not be very large. On the whole, I think this House fairly meets the necessities of the case. It may be too small to meet requirements in extraordinary Debates; but the question is whether, for the purpose of providing for extraordinary occasions which occur only two or three times in a Session, it is desirable to put the House to inconvenience in its ordinary and normal condition? If the experience of the remainder of the Session should show that the present arrangements are inconvenient to Members, the Government will consent to a Committee meeting this year; but, for my part, I should desire that that Committee should confine itself to the question whether there may be

some enlargement of the House, with the view of meeting the special cases I have referred to, and that it should not go into the wider question that has been suggested—namely, that of providing a place for every single Member. That, in my opinion, would be altogether unnecessary, and would inevitably lead to the adoption of the tribune.

COLONEL HOWARD VINCENT (Sheffield, Central) said, he could not understand why the right hon. Gentleman should want to delay the appointment of the Committee till next Session. A Committee went very fully in the matter in 1867-8, and reported that increased accommodation could be obtained in a most satisfactory manner and without interrupting the Business of the House. The Committee were of opinion that the alterations could be easily accomplished in the space of the Recess at a cost of some £120,000. The right hon. Gentleman said that since Easter the accommodation of the House had been ample. Since Easter, however, the proceedings with one exception, had not been of the interesting character that they were sometimes. Next week a very different state of affairs would be witnessed. Even that evening the House had been inconveniently crowded. There was no doubt that a large number of hon. Members absented themselves from the House, because of the difficulty they found in obtaining accommodation. That might be the "Mother of Parliaments;" but there was no Parliament House in any part of the world which was so inconvenient to Members, and also to strangers, as that at Westminster. It was perfectly disgraceful that hon. Members, the greater number of whom had other avocations to pursue, should, in order to obtain a seat on any important occasion, have to be at the House at 11 or 12 o'clock in the day and, according to the Rule, not leave the House subsequently. There were 669 Members of the House, excluding the Speaker, and there were only 240 seats from which any part could be taken in the proceedings. He hoped the right hon. Gentleman would see whether he could not suggest some means of improving the accommodation, and thus distinguish his tenure of Office as First Commissioner of Works.

*Mr. Shaw Lefevre*

MR. LABOUCHERE (Northampton) said, that might be the Mother of Parliaments, but it was a most unjust step-mother to its own children, because it did not provide room for them in its lap. The right hon. Gentleman the Chief Commissioner had started a most extraordinary theory. He seemed to be under the impression that when anybody got into the House of Commons his duty was to keep out of it as much as possible. It would be interesting to know whether the Government Whip shared the right hon. Gentleman's opinion on this point. The right hon. Gentleman said he himself was opposed to any change in the House; and, therefore, on the *sic volo sic jubeo* principle, he would not allow the matter to be discussed. If his hand was forced on the subject, he thought that the obnoxious addition to the accommodation of the House should be limited as much as possible, and that the House should not, in any event, be enlarged sufficiently to provide accommodation for all its Members. What would be said of any County Council in the country which, being in want of a proper meeting place, calmly built up a hall in which only half its Members could find places? The Government had come into power with a great Newcastle Programme, and were always complaining of delays; and yet, when a Committee was proposed on an important subject of this kind, the right hon. Gentleman the First Commissioner said, "Let us put it off for a year." What would the Government say if he (Mr. Labouchere) said—"Let us put off Home Rule for a year." In view of the strong opinion which had been expressed in favour of some alteration, it was only fair and reasonable that a Committee should be appointed during the present Session. He knew his hon. Friend could not divide on the present proposal, and he had put down a little Amendment of his own in favour of reducing the First Commissioner's salary by £50. There would be two advantages in voting on that Amendment—they would get the Committee, and at the same time would save the country £50.

DR. FARQUHARSON (Aberdeenshire, W.) was of opinion that better accommodation ought to be provided for the House. He remembered, on one occasion, Mr. Mitchell Henry making a Motion from a very effective standpoint—

he was obliged to address the House from the Gallery, and he said he did so because he could not get a seat down below. It seemed to him (Dr. Farquharson) that a Committee would be extremely valuable, because they must have regard to the future, when hon. Members would be called on to attend in their places much more than they did now. It was probable that ere long they would have payment of Members, and hon. Members would then have to attend to their duties with much greater assiduity than they did now. They would have to be almost constant in their attendance, therefore they would expect to have proper accommodation. But there were only two points worthy of consideration. When the Home Rule Bill passed, whether the Irish Members were retained at Westminster or not, it was evident that they would not come here in such numbers as they did now, nor be so assiduous in their attendance. That, to a certain extent, would relieve the House. Then—and this was his second point—if they had Home Rule for Ireland it was probable that they would have Home Rule all round—Scotch and Welsh as well as Irish Home Rule. The House would then, in all likelihood, be solely devoted to Imperial questions, and the strain on it would be less even if the number of Members were not reduced. There was a good deal to be said on both sides of the question, therefore he was anxious to see a Committee appointed.

\*MR. ANSTRUTHER (St. Andrews, &c.) thought that the answer of the right hon. Gentleman the First Commissioner of Works was insufficient for the needs and requirements of the present day. It had been decided by a Committee of the House, as long ago as 1868, that greater accommodation for Members was required, and it seemed to him that what they had to do now was to set to work and see how that additional accommodation could best be provided. The right hon. Gentleman the First Commissioner of Works had used what appeared to him to be a very curious and, perhaps, unfortunate expression when he said that hon. Members came into the House in large numbers at the beginning of the Session because, forsooth, of the privilege they enjoyed of listening to important speeches. He had been brought up to believe that it was part of the duty of an hon. Member returned to the House to come and listen



to the speeches of leading Members in order that they might form a reasonable judgment on the matters debated. It was no argument to him to say that the House was not always full, or was only sometimes full, and that, therefore, there was no necessity for additional accommodation. He knew very well from his own experience that Members were very often reluctant to come into the House on crowded evenings, because they knew they would suffer so much discomfort. It was said that if the House were enlarged it would be more difficult to hear Members' speeches. Well, he was prepared to assert the exact contrary. Members below the Gangway at present were unable to hear a great deal of the conversation which took place between the occupants of the two Front Benches across the Table; and if the House were enlarged it would be necessary that those Gentlemen should speak louder, so that everyone could hear them. There was a Committee now sitting to inquire into the subject of reporting the proceedings of Parliament, and all the evidence which had been received from the gentlemen who were good enough to sit in the House night after night reporting its proceedings went to show the difficulty experienced in hearing what was said on the floor. It would, therefore, be wise for the First Commissioner of Works to reconsider his decision, and appoint a Committee to consider the questions of the accommodation in the House and the accommodation in the Reporters' Gallery together. They might then be able to arrive at the ideal of the Secretary of State for War—*solvitur ambulando*.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

#### AFFAIRS IN SWAZILAND.

MR. WEBSTER (St. Pancras, E.) rose to call attention to affairs in Swaziland. He said the principal reason why he called attention to this important matter was that since 1890 the House had received no Reports on the country, and no information as to its affairs of a definite or adequate character from the Government. He thought the House should know whether it was true that a Conference had recently assembled in South Africa in regard to Swaziland; also what were the terms of the Reference

to that Conference; and whether it was true, as stated in some newspapers, that the result of that Conference would be in the no distant future the handing over of this important territory—so far as it was in our power to hand it over—to the Boer Republic. Swaziland was not a very large country, being about 10,000 square miles in extent. At one time it was a portion of the Zulu nation, but now it was practically a separate and independent country. On the West it was bounded by the Drakenberg range of mountains, some 5,000 feet high, and supposed to be possessed of great potentialities in the way of gold mines; and on the East it was bounded by the Lebombo range. Its Southern limit was a line drawn by the Pingolo, and its Northern limit was determined by another artificial line which started from the Lebombo range to a spot opposite Delagoa Bay. The surface of the country was diversified by swelling grass-covered hills and valleys abounding with timber. Some people had said the country could be approached only by a balloon; but he was credibly informed that £120,000 of machinery had been taken to a mine which had been opened in the country with the greatest ease. The kernel of the country was the central plateau, about 2,000 feet high, where the Boers wintered their cattle. Indeed, the Boers, who brought nothing into the country, took a great deal from it, and the wintering of their cattle in that fashion had caused a great number of disputes with the natives. Turning to the historical aspect of the question, he would explain how it came to pass that we gave assurances to this small nationality, of about 50,000 or 60,000 inhabitants, that we would, to some extent, defend their independence. No one could deny that in 1876 the Transvaal Boers were in a hopeless state of bankruptcy, and were in great danger of being swamped by the Zulus. At that time the British Government was induced—he would not say whether rightly or wrongly—to enter into a contest with the Zulus, and he could not help regretting that we should have been forced to treat as a foe Cetewayo, who was willing, at that particular time, to be our friend. The intention then was, according to Sir Theophilus Shepstone, to protect the Swazis from being overcome by the Zulus. That had been always recalled by the Swazis.

*Mr. Anstruther*

They had always recalled the fact that their nationality was about to be taken away from them by the Zulus when they, to some extent, received the protection of Great Britain. When, in 1877, we lavished British blood and money in fighting the Zulus, and destroying the danger which threatened the broken-down Boer Republic on its borders, and were compelled, not without reluctance, to take upon ourselves the burden of reorganising and administering the broken down common-wealth as a Crown Colony, the Boers showed their gratitude by plotting to get rid of us; and they plotted against us, he admitted, with some success. They sent a deputation to this country, who were received by the right hon. Gentleman the present Member for West Bristol (Sir Michael Hicks-Beach), and the right hon. Gentleman gave, on that occasion, the only straightforward statement the House had received from either Party on this subject. But soon after that a Liberal Government, presided over by the right hon. Gentleman the Member for Midlothian, came into Office in 1880. We had to reflect, with some humiliation, on the disastrous campaign in the Transvaal, ending with Majuba Hill, after which we, without due reason or due cause, gave up that valuable country to the Boers. In the Treaty we then made there was a clause that we were determined to maintain the independence of Swaziland. Did the Swazis long to be annexed to the Transvaal? He had no doubt that if the Europeans in Swaziland were polled they would be found in favour of annexation, for the majority of them were Boers; but he ventured to say that the Swazis themselves were very hostile to annexation. And why should they wish to be annexed to the Boer Republic? They were, it was true, surrounded on all sides by powerful nationalities, but that was no reason why they should give up their independence. In Europe, the Swiss, a small nationality, and, like the Swazis, surrounded by powerful States, had been able to maintain their independence. He did not think it right for any Member of the House to say hard words of people belonging to another nationality, but he could not help saying that the action of the Boers towards the Swazis was not altogether of a kindly character. In fact, the Boers had treated the Swazis in the way the negroes had been treated in

South America, and, furthermore, they had done their best to degrade and debase the Swazis by importing a large amount of alcoholic liquors into the country. We protected the Swazis from the Zulu power, and the Swazis did their best for us on another occasion. Their King sent 8,000 of his picked warriors—which practically meant every man in the country who could bear arms—to aid Sir Garnet Wolseley in his campaign against Sekukuni. Writing of the Swazis Sir Garnet Wolseley said—

“They went home happy and contented, having done us remarkably good service during the campaign. They responded to my call with great alacrity when I sent for them, and from the kindness with which they were treated by us, and the signal success that attended the campaign, I have no doubt we shall always be able to count upon their invaluable assistance whenever we require it to quell any native troubles in this part of Africa.”

There was evidence in the Blue Books that Sir Garnet Wolseley, Sir Evelyn Wood, and Sir Theophilus Shepstone had guaranteed the integrity of their country to the Swazis. We had not a large Army in comparison with the territory we possessed, and our supremacy rested on the fact that British honour and British promises could be relied on; that whatever was said by the British Government or by a British official was always acted on, and he thought that in South Africa it would be a grave disaster if our promises to the Swazis were gone behind. English capitalists had expended large sums of money in an effort to develop the country, and were the fruits of that enterprise to be handed over to the Boer Republic? An Englishman had no political rights at all in the Transvaal. He had about as much political right as a helot had in Sparta, and if he changed his nationality and became a subject of the Transvaal Republic he had to wait for 16 years before he had the right to vote; no foreigner could be naturalised until he had resided in the country for 16 years, and that despite the fact that the country was being opened out by British skill and enterprise. No progress had taken place in any public Department. The Boers were paramount. In 1880 we allowed the Republic, on the flimsiest pretext, to extend its borders along the Southern border of Swaziland. By an Article of the Treaty of Pretoria, 1881, the independence of Swaziland was

fully recognised. In 1884 that Treaty was ratified by the present Prime Minister, and in 1890 the independence of Swaziland was confirmed by Treaty. He thought this country should be very careful to consider whether she would not be going behind those Treaty arrangements if Swaziland was allowed to drift from the practical sovereignty of the Queen to the domination of the Boer Republic. Last year the hon. Gentleman the Under Secretary for the Colonies said he felt very strongly the duty of protecting the natives in this matter, and that he was fully awake to the duty incumbent on the Government to encourage and protect British enterprise. The Swazis wished to prolong their autonomy as a nation. He did not say Great Britain could cede Swaziland to the Transvaal. We might as well talk of ceding Afghanistan to Russia, or Morocco to France. The only part we could play in such a transaction was that of accomplices in a flagrant and perfidious act of robbery. No possible guarantee could be given that we should receive even the pitiful price for which we might bargain in return for our share in the betrayal of allies and the violation of all principles of humanity. The annexation of Swaziland by the Boers would place at their mercy the large amount of capital already invested in the country by British subjects, and would set the latter in the same humiliating and disadvantageous position as was occupied by the Uitlanders in the Transvaal. The native population would be doomed under Boer rule, their hatred of which had been plainly expressed, to slavery, oppression, and final extinction. He would like to know from the Under Secretary of State for the Colonies what the Government intended to do in this matter?

DR. CLARK (Caithness) said, the hon. Member was in ignorance of the geography of the country and its history. He was utterly mistaken as regarded the geography. Swaziland was entirely surrounded by the Transvaal except on the East. It was not bounded by Natal. As to the assertion made in reference to the treatment of the natives in the Transvaal, he had never heard a more rash or untrue statement. A despatch sent to this country by the British Agent, appointed under the provisions of the Treaty of 1884, showed that he had never seen people so comfortable

as the protected tribes in the Transvaal. He himself had never seen a people more comfortable, or in such a high state of civilisation, as the protected tribes. It was also amusing to him to hear that an Englishman in the Transvaal could not obtain civil or political rights, must forswear his nationality, and must have been 16 years in the country before he had a right to vote. There were two Chambers in the country, and any man after two years' residence could vote for one, and after five years' residence could vote for both Chambers. All the statements made by the hon. Member, without exception, were absolutely untrue. He wanted to know, as well as the hon. Member, what the Government were going to do with regard to Swaziland, because we had done a great deal of damage to the country by the course we pursued in 1881. The Swazis were the only race in South Africa that the Boers had never fought. The Swazis had always been the allies and friends of the Boers, and there was a great deal of sympathy between them. The condition of Swaziland had now become something terrible, and it was getting demoralised and degraded beyond conception. As we could only get to Swaziland by going through the Transvaal territory, or through Portuguese territory, he did not think there was any course open to them but to come to terms with the Boers, and to hand that country back to the Transvaal. He did not say there was no other course; but if that course should be taken he hoped they would not play the game that was always played of making this concession to the Boers in return for something else, and without regard to the interests of the natives. No settlement of Swaziland that did not give the Swazi people their own soil would be satisfactory.

\*THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. BUXTON, Tower Hamlets, Poplar) said, it was not necessary for him to enter into the historical part of the question, the "ancient history" raised by the hon. Member. They had to take things as they were. Unfortunately, in this matter, they were not dealing with a clean slate, but had to bear in mind what had happened in the past. He wished to say at once that Her Majesty's Government had in no sense raised this question of Swaziland of their own

accord. They had not wanted to raise the question, but they believed that they were bound in good faith to the South African Republic, if it were raised, to discuss it on friendly and amicable terms. The hon. Member opposite said he did not agree with the policy of his Party with regard to the Swaziland Convention of 1890. That might be so, but the Government, coming into Office as they did, found themselves obliged to deal with the Convention as it stood, and with the pledges given by the late Government in regard to the Transvaal. Upon that point he thought he ought to say a word or two, because he wished that House to understand that, as far as the Government were concerned, they were not wantonly raising this Swaziland question. The Convention of 1890, which was about to expire, was admittedly a temporary Convention. It was only intended to last for three years, and the South African Republic had contended that when certain matters were settled, when Swaziland was in a satisfactory state, and when the concession question was settled, they were entitled to raise the question at an earlier period than three years. When the late Government negotiated that Convention through Sir Henry Loch with the Representative of the South African Republic it was stated specifically to the Transvaal Government that when the joint Government (British and South African) was established and the Concession Clauses were settled, it would consider such questions as the Government of the South African Republic might bring before it, with a desire to meet the wishes of the South African Republic as far as possible. When this Convention was ratified by the Volksraad similar words were used by them as a condition of ratification. Further, when the great trek northwards was anticipated in 1891, Her Majesty's Government undertook that if President Krüger would prevent the trek, which would have been very dangerous to our Mashonaland possessions, they would be prepared to consider this question before the expiration of the three years mentioned in the Convention. As regarded the question of three years, he might say at once that in a sense it was immaterial, as the three years had nearly expired. But it was material in the sense that it showed throughout all the discussions that the South African Republic ex-

pected from the very beginning that when certain circumstances occurred they would be entitled to come to the British Government and say—"We have done our part; do yours. Meet us and discuss these questions on friendly terms." Under these circumstances, so long ago as 1890, the late Government agreed that Sir Henry Loch should confer with President Krüger in order to discuss the matter with a view of meeting the South African Republic as far as possible. For certain reasons not connected with Swaziland the meeting fell through; but, last February, the late Government agreed that Sir Henry Loch should meet President Krüger and discuss the question; and Lord Knutsford, in a despatch to Sir Henry dated February 2nd, 1892, said—

"Her Majesty's Government, however, have every desire to meet as far as is possible the wishes of the South African Republic, and I have now to authorise you to inform President Krüger that you are prepared to receive, as representing Her Majesty's Government in South Africa, proposals from him respecting the government of Swaziland."

He quoted that to show what was the opinion of the late Government in regard to this matter. When the present Government came into Office they found that this meeting had been arranged; and, so far as they were concerned, they had no option in the matter but to allow Sir Henry Loch to meet President Krüger and to discuss this question, with a view as far as possible of meeting the wishes of the South African Republic. He was quite sure his hon. Friend opposite would not expect him at the present moment to state what exactly were the instructions to Sir Henry Loch, or the exact conclusion come to at that Conference. But he might say that Sir Henry Loch and President Krüger met and amicably discussed the matter, and Sir Henry Loch had stated that he was well satisfied with the discussion and its results. But it was in the nature of a discussion and not of a decision, and for this reason—President Krüger, as they understood by telegraph, had no absolute powers to conclude the Convention then and there under his Constitution without reference to the Volksraad. There was, however, a very considerable exchange of views, certain bases were arrived at on both sides, which he believed would be found to be satisfactory to both parties; and later on there would probably

be a further interview between Sir Henry Loch and President Krüger in order to draw up and to arrive at a final decision in regard to the matter. Of course, before any final agreement was come to, all the points would be referred home for decision before Sir Henry Loch would be entitled to sign on behalf of Her Majesty's Government. But he would say at once that, as to the rights of the whites, all their personal proprietary and political rights must be and ought to be preserved; and, so far as legitimate British interests existed, they also would be carefully and properly preserved. Further, in regard to the question of the natives, he could assure hon. Members that their interests would in no sense be neglected, and in any negotiations as to the future of Swaziland they would take care that the natives should not be coerced into coming to any agreement with the Transvaal Government if they objected to do so; and that in any arrangement between the Transvaal and England the consent of the natives should be intelligently and effectually given, and that they should not be harried, hurried, or deceived into accepting any Convention to which they might afterwards object. He would say, further, that any arrangement as between the Boers and the natives would necessarily be subject to terms to which the assent of the Government must be given, and that assent would not be given unless they had full guarantees that such native rights as did exist were properly preserved. He ought, perhaps, to say this in reference to what his hon. Friend had said as to what he had called the independence of the natives. It was perfectly true that independence was recognised, though it was not guaranteed, under the Conventions of 1880 and 1890. But it was recognised in the sense that neither party to the Convention might negotiate with the natives without the assent of the other. If it was now considered advisable that the Transvaal Government should be allowed to enter into negotiations with the natives, it would only be allowed under strict guarantees as to the rights of the natives. The hon. Member opposite said that if they allowed the Transvaal to extend to Swaziland they would extend further, take over Tongaland, and obtain possession of and accession to Delagoa Bay. In any agreement the Govern-

ment would take care that the absolute independence of Tongaland as regarded the South African Republic should be assured, and that the position of Delagoa Bay would be in no way affected by any concession to the Transvaal in connection with these negotiations, and should remain in the same position as at present.

Mr. CONYBEARE (Cornwall, Cambridge) thought the House should be satisfied with the assurances given by the Under Secretary for the Colonies. The hon. Gentleman said the interests of the natives would be safeguarded, and their wishes duly ascertained, and that they should not be coerced or harried into acceptance of Boer Government. What he wished to draw attention to was that when the Conference took place in Swaziland two years ago the wishes of the people in one particular direction, and that was, as to the encouragement of intoxication and the demoralisation of the people by drink. On that occasion he brought the matter before the House, and he read from the Blue Book the verbatim Report of the Conference that took place between the Representative of the Transvaal Republic, our own Representative, and the Representatives of the Swazi people, and he had read nothing more pathetic than the appeals made by the head men of the Swazis that we should stop the importation of drink, because restrictions were perfectly delusive. What was the result? He appealed to the hon. Member the late Under Secretary for the Colonies, and all the answer he got from the Tory Government was that the whole matter was closed, and it was impossible to reopen it. The matter was not closed so far as they were concerned. He would appeal to his hon. Friend who had charge of this matter, now that he was talking of safeguarding the rights of the natives, that he would see that the protection of these helpless individuals against demoralisation by drink was properly carried out. With reference to the arguments which had been placed before the House by the hon. Member who raised this discussion, he wondered what particular motive an hon. Gentleman on that side of the House had in raising the question. He believed he was right in saying that there were a certain clique of persons in this country interested in some of those concessions which had been

referred to. He mentioned this because he had personal knowledge of what he was saying, and because he wished to ask the House not to attribute too much importance to the views they had heard put forward by the Mover of the Resolution. So far as he was aware, however much they might hear about patriotism and loss of prestige that might be incurred by handing over this portion of South Africa to the Transvaal Republic, these views were mainly put forward on behalf of gentlemen who were interested in concessions in Swaziland, and who were afraid that their concessions would lose in value under Boer rule. As the hon. Member for Caithness (Dr. Clark) had pointed out, all the concessions worth anything were in the hands of the Transvaal Government, who had paid large sums of money for them. The hon. Member who introduced the subject talked about handing over independent States without ascertaining the wishes of the inhabitants. That, he would submit, was rather a strange argument coming from a supporter of the late Government who went in for a wholesale partition of the Continent of Africa amongst the Great Powers of Europe without ever troubling themselves as to whether the people inhabiting these enormous tracts were in favour of the partition or not. He believed, from personal knowledge, that it would be for the interest of these portions of the country with which they were dealing that the arrangement for the administration of Swaziland should be placed in the hands of the Transvaal Government. He said that having considerable acquaintance with the manner in which the Transvaal Government treated the very considerable number of natives who inhabited that country of the Transvaal. He had communicated with great numbers of them, and he might say, had dealings with them; and, although there might be instances of harsh treatment between the individual Boer farmer and the individual native—and he had seen such cases himself—he would maintain that, taking the Government of the Transvaal as a whole, its treatment of the natives was as humane and as satisfactory as was the treatment by England of the natives in her own territories in South Africa. It was quite true that there native attained to a very high degree of comfort and prosperity. He

might mention a single instance where a certain native chief in one portion of the South-Western Transvaal had recently been in a position to offer a very large sum of money to an English company for the farm land upon which the tribe was living, the surface rights merely, leaving all question of minerals out of the agreement. When that was the case, and when they knew the wealth which the natives accumulated working in the mines, and which they could carry away with them in hard cash without being harried or annoyed by the Government officials, it was nonsense for hon. Members who had never been within a thousand miles of the Transvaal to get up and talk of the ill-treatment by the Boer Government of the native population. It was one of those mythical statements always trotted out when there was any question of dealing with the Transvaal Government, against which so many people in that House seemed to have so ill-grounded a prejudice. He wished to say, on the broad general question of their relations with the Transvaal Government, that after what had happened during the last three years, and after what had been admitted there that night by the Under Secretary for the Colonies, it would be something like a gross breach of faith on their part if they were now to go back from the understanding they had entered into with the Transvaal Government and refuse to hand over to them the administration of Swaziland. It was all very well for people to get up and talk about the policy of letting the Boers down to the sea. Why should they not have access to the sea? If they chose to have a railway to the sea, and a harbour on the coast, he, for one, should be delighted to see them getting such an outlet for their industry and commerce as would be convenient to them. But that was not the question at the present time, and he would say it was worth their while to keep on friendly terms with the governing population of the Transvaal. This country had got enormous interests there. He did not say that the Transvaal Government would make itself particularly unpleasant to them; there was no reason to think that. He did not say either that the Transvaal Government could ever greatly interfere with all the millions of British capital which were now invested in the development of the Transvaal Republic; but he would say this: that, with

friendly relations existing, as they now happily did, between this country and the Boers of the Transvaal, it was worth while to maintain those friendly relations, because every sensible man, every far-seeing statesman, whether in the Transvaal or in the Cape Colony, looked forward to the day when there would be some kind of federation of the States of South Africa, whether it was under the British or South African flag, when they would all be in harmony, and when there would be no fear of such dismal scenes as took place in the war of a few years ago. He hoped, whatever decision they took in connection with this question, that good would result from it to the States of South Africa.

#### SCOTTISH PALACES AND CASTLES.

\*MR. A. C. MORTON (Peterborough) had the following Notice on the Paper :—

"To call attention to the neglected condition of the Holyrood and Linlithgow Palaces, and Edinburgh, Stirling, Dumbarton, and Blackness Castles, and to move, 'That these Scottish Palaces and Castles should be put and kept in a decent state of repair, as agreed upon at the time of the Union.'

He said he did not propose to take up more than a few minutes in dealing with this matter. He wanted the Government to understand that these buildings were national property, and should be protected and kept in decent repair by the Government, as was agreed upon at the time of the Treaty with Scotland. The First Commissioner of Works was good enough, early in the Session, to promise, with regard to the Palaces of Holyrood and Linlithgow and Edinburgh Castle, to go and see these places later in the year. He was satisfied with that promise, and did not, therefore, propose to trouble the House with any remarks as to these places. With regard to Stirling Castle, he wanted to get some undertaking from the Minister for War. Part of the building, containing a chapel, palace, and hall, with which the Secretary for War should have nothing to do with, had been taken by the War Authorities; and he wanted to have an undertaking from the right hon. Gentleman that he would put that portion in repair and give it back to the Civil Authorities of the country. He understood that the hall and palace and chapel had been made into a barracks, a canteen, and all sorts of strange things. The Scottish Society of Antiquarians

had communicated with the right hon. Gentleman, and he (Mr. Morton) would be quite satisfied if the right hon. Gentleman would say that he would give consideration to the representation that had been made by that Society and to any other representations that might yet be made by other Societies.

\*MR. CAMPBELL-BANNERMAN said, his hon. Friend took him between wind and water, because he was not only Minister for War, but also Member for Stirling, and a Scotsman as well, so that he had three reasons for being very sedulous in his care of the Castle of Stirling. He did not know that the hon. Member had displayed any intimate knowledge of the subject which he had discussed.

MR. A. C. MORTON: May I tell the right hon. Gentleman that I could have done so, but I did not want to take up the time of the House.

\*MR. CAMPBELL-BANNERMAN acknowledged the desire of his hon. Friend to spare the time of the House, and would follow him in the example he had set. He would only say that, in the observations the hon. Member had made as to what had occurred, he had mixed up one or two things which were not connected with each other. Undoubtedly Stirling Castle, which contained within the fortress—if it could be called a fortress—the old Parliament House and a chapel and other buildings of interest, had been very badly treated in past years. He had paid very close attention to it himself. He had gone over every part of it, and the general conclusion he had come to was that they had better endeavour to prevent the process of destruction and degradation going any further. As to attempting to restore what <sup>there</sup> ~~there~~ was in times past, he was afraid that would merely let in the imaginative architect, and that possibly the so-called restorations might be even worse than the present condition of things. That was the general impression on his mind. As the hon. Member had said, he had received a communication from the Society that had been referred to, and he had answered them. He would keep a very close watch on the matter, and with all his heart he would be delighted to do anything to save the old buildings and the associations connected with them.

MR. PARKER SMITH (Lanark, Partick) thought that there was one thing worse than the imaginative architect, and that was the unimaginative soldier, who had had possession of Stirling and Edinburgh Castles, and had worked great mischief on both. Edinburgh Castle had been happily rescued from him. He (Mr. Smith) trusted that a certain amount of money might be found to set free the most interesting parts of Stirling Castle from the present use to which they had been turned; and that they might have buildings containing objects of the greatest historical interest in Scotland kept in a better way than they had been. If any spur were needed to induce the right hon. Gentleman to be unselfish enough to devote a certain amount of public money to this end, he might rest assured that none of them would grudge it to him, or suspect him of unworthy motives in doing that which would be to the advantage of his constituency and the country at large.

Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

Supply—considered in Committee.

(In the Committee.)

Committee report Progress; to sit again To-morrow, at Two of the clock.

#### CUSTOMS AND INLAND REVENUE BILL.—(No. 327.)

##### COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1 (Import Duty on tea).

\*MR. A. C. MORTON (Peterborough) said, he had given Notice to move the rejection of this clause, but he was well aware that the Chancellor of the Exchequer could not afford to do away with the Tea Duty. Personally, he should have preferred that he had done that and increased the Income Tax. But the expenditure might have been reduced by £3,500,000 if the right hon. Gentleman had had the courage to do it. He trusted during the present Session to give the right hon. Gentleman many opportunities of voting with him for the reduction of Expenditure. It might be said that the Chancellor would not have money if the duty were abolished on tea; but that was not his (Mr. Morton's) business. He (the Chancellor of the Exchequer)

could get money some other way. This was his business: the Liberal Party were pledged to do away with this tax, and, for himself, he was resolved to carry out the Newcastle Programme as far as he could. He hoped that early next Session the right hon. Gentleman would be able to announce that he intended to do away with the Tea Duty altogether.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): Like the great Don Fernando, we can "do no more than man can do." I cannot repeal the Tea Duty in the face of a deficit of £1,500,000. I am extremely anxious to reduce the duty, but my hon. Friend must feel that in the circumstances of the time it is impossible to take the course he suggests.

MR. PICTON (Leicester) said, the Government had pledged themselves to give the foremost place to the Government of Ireland Bill, and when that pledge was given they knew what they were going to do. The words of the Chancellor of the Exchequer with reference to this and other reforms in the Budget were as satisfactory as they could expect from any Minister in his responsible position. The right hon. Gentleman was in favour of imposing further burdens on the rich and of relieving the burdens on the poor; and with these pledges he thought the Committee, in present circumstances, ought to be entirely satisfied. Next year, however, they would expect from the Chancellor of the Exchequer one of the greatest Budgets brought forward for many years.

DR. CLARK (Caithness) did not agree with his hon. Friend. The difficulty would not be in carrying Home Rule through the House, but in carrying it before the country. If the Liberal Party sacrificed everything for Home Rule, and appealed to the country afterwards, he was afraid the appeal would not be favourably responded to. The Government would be told that the old story was being repeated—a Liberal Government came into power and did nothing to give effect to its opinions. He wished to point out the inequality of taxation in the Death Duties, and how the differentiation was in favour of realty and against personalty—

THE CHAIRMAN: Order! The hon. Member is wandering from the point before the Committee.



DR. CLARK said, if he was ruled out of Order he would resume his seat at once.

Clause agreed to.

Clauses 2, 3, and 4 agreed to.

Clause 5 (Repeal of certain exemptions from the Stamp Duty on receipts).

MR. E. B. HOARE (Hampstead) said, he would like to have information as to the meaning of this clause. It was an innocent-looking clause, but, somehow, it appeared to him to be somewhat revolutionary in practice.

SIR W. HARCOURT: A new practice has arisen within the last year or two of cheques having attached to them a receipt in regular form, acknowledging the receipt of the money. Under cover of the Act of 1891 those receipts are headed, "No stamp is required with this receipt," and the consequence is that the receipts escape the stamp. I have consulted several bankers on the subject, and they agree that this evasion of the stamp ought to be stopped. In old days these exemptions arose when the charges were very much higher. When the exemption from a receipt stamp for a cheque was first allowed in 1804 on bills of exchange, cheques were subject to an *ad valorem* stamp beginning at 8d. and rising to 7s., but cheques now only pay 1d. Receipts were subject to an *ad valorem* stamp rising from 2d. to 5s., and now they are at 1d. The hon. Member, I am sure, would not desire to see any system established that would evade the very moderate receipt stamp of 1d. The endorsement upon a cheque payable to order is a necessary part of the cheque, and is not a receipt which would require a stamp.

MR. E. B. HOARE said, he was perfectly satisfied with the explanation. He had not the least desire to countenance any evasion of the law; but he wished for an actual legal interpretation of the words, which appeared to him to be very wide. Railway dividend warrants, which were drawn with a place for the signature of the proprietor at the bottom, up to the present time bore an ordinary 1d. stamp, and were paid at once. He imagined that the Railway Companies considered they had got a receipt, but the matter, which was one of very great importance, required perfectly clear legislation.

SIR W. HARCOURT: I hope the hon. Member will take it from me that the endorsement on a cheque payable to the order of the payee is not a receipt. It is a part of the order to pay which appeared upon the face of the cheque.

MR. E. B. HOARE said, he held in his hand an ordinary stamp which was put upon cheques and other documents passing through the Clearing House by the banker who presented them. He asked whether that was a receipt?

MR. COHEN (Islington, E.), said, he thought the House would be entirely in sympathy with the Chancellor of the Exchequer in desiring to contribute in no way to the evasion of the modest 1d. receipt stamp, but he did not believe that the right hon. Gentleman contemplated that a banker's name across a cheque that he had received money in a Clearing House ought to be hereafter subject to a duty which had never before been chargeable upon cheques. If he was right in that, he would ask the right hon. Gentleman to consider whether the words in the Bill would not require alteration so as to make the point clearer?

MR. A. G. H. GIBBS (London) said, he thought it ought to be made clear that receipts written upon bills of exchange and promissory notes did not require a stamp, for if they did it would be very inconvenient.

MR. BARTLEY (Islington, N.) said, the Chancellor of the Exchequer might be aware that cheques drawn to order and endorsed were constantly used in the Law Courts to prove payment. He considered that the clause under discussion might be so interpreted that they could not be hereafter used in that way without an additional 1d. stamp.

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): It is quite true that endorsed cheques are used as *prima facie* evidence that they come into the hands of the payee, but they are not receipts, although they may continue to be used as heretofore. It is only receipts properly so-called that are met by this clause.

MR. BARTLEY said, the clause ought to contain a statement to that effect?

MR. FORWOOD (Lancashire, Ormskirk): Will the right hon. Gentleman say whether transfers and conveyances can be properly receipted without a 1d. stamp?

SIR W. HARCOURT : Ordinary conveyances in the body of the deed acknowledge the receipt. For some reason or other there is also endorsed upon the deed a receipt for money. Upon the acknowledgment in the body of the deed no additional stamp is required ; but if people choose to write upon the deed a separate acknowledgment, then, no doubt, a 1d. stamp is required. The intention of the Government is to meet the case of evasion.

MR. COHEN (Islington, E.) said, that in the City there was not the slightest desire to countenance, in any way, an evasion of a legitimate duty—of which alleged evasion he heard for the first time to-night ; but, as the right hon. Gentleman must know, it was not easy to compute the millions affected by the stamp put across a cheque by the bankers. He accepted the assurance of the right hon. Gentleman and the Solicitor General that the receipt did not require a stamp, but, inasmuch as there was a doubt on the subject in City circles, and, inasmuch as apparent evasion had been, to a slight extent, resorted to, he thought the City would welcome the concession of the right hon. Gentleman, who was well advised in undertaking not to press the clause.

MR. A. G. H. GIBBS thought that, as the clause would be open to misconstruction, it would be well to withdraw it.

MR. E. B. HOARE said, he should make no objection if the right hon. Gentleman would undertake to reconsider the matter so as to introduce a fresh clause in the Bill on Report. He gratefully recognised the right hon. Gentleman's offer to withdraw it ; but if it could be so modified as to make its meaning clear, not only to the House, but to Her Majesty's Judges, he should be grateful.

SIR W. HARCOURT : The question as to the Clearing House raises up a doubt. I do not know whether the stamp means a receipt for a balance of money, or that the cheque has been received. If it is a receipt for a cheque it is clear that it would require a stamp, but if for a balance due the case would be different.

MR. E. B. HOARE said, that every banker put the stamp "received" on the cheque when he sent it to the Clearing House. But he did not consider it a receipt for the money. The paying

banker was at liberty to return the cheque.

MR. S. EVANS (Glamorgan, Mid) hoped the Chancellor of the Exchequer would postpone the clause, because it was clear that the right hon. Gentleman had carried the matter further than had been intended by those who had drafted the Bill. The only cases in which it appeared to him necessary to have a receipt were these :—formally in the body of a deed it might have been recited that the whole of the purchase money had been paid, but, as a matter of fact, only an instalment might have been paid. But the *ad valorem* duty was paid on the amount of the purchase money, and it could not be intended that besides that there should be an additional receipt stamp. The Chancellor of the Exchequer had not informed them whether there had been any decision in a Court of Law as to this question. If there had been there would be no object to serve in following the course provided in the Bill.

SIR W. HARCOURT : As it is desirable that the Bill should pass this week, I would suggest to hon. Gentlemen opposite that they should allow the clause to pass through Committee. I will have the matter investigated to-morrow ; and if I am not able to satisfy the Committee on the subject, I will undertake on the Third Reading to recommit the Bill in order to leave out this clause.

Clause agreed to.

Clause 6 (Income Tax).

DR. CLARK said, he had an Amendment on the Paper to reduce the Income Tax from 7d. to 4d. on incomes under £500 a year, and to impose a graduated Income Tax on incomes above that amount, rising to 2s. in the £1 on incomes above £10,000. He proposed only to move the first part of the Amendment. Last year the hon. Member for Islington (Mr. Bartley) took a Division in favour of a differential Income Tax by which unearned incomes would pay more than earned incomes, and small incomes would pay more than larger ones. This year he (Dr. Clark) found it difficult to draft an Amendment to differentiate because A, B, C, D, and E were so mixed up ; but the question of graduation was clear, and he hoped to take a Division on it.

The Chancellor of the Exchequer would require to do something in this matter if he wished to be Chancellor of the Exchequer again. He must carry out the wishes of the people to whom Parliamentary powers had been given, and who were desirous of doing what their predecessors in power had done to lighten their own burdens. Formerly, we were ruled by an oligarchy which used to look after its own interests; but we had now become a democracy, and the problem was how to distribute taxation fairly amongst all classes. We were unable to have *ad valorem*; and so far as the indirect taxes were concerned, the poor paid far too much. Everyone admitted that. The late Chancellor of the Exchequer had admitted it. He had attempted to put an *ad valorem* duty on higher class wines, and he had to take it off. It was difficult, as he had said, to do this, the law being evaded and the Revenue losing a great deal of money. They ought to try and make the burden lighter on the lower middle classes. He desired to see the Liberal Party become democratised on these matters. He would suggest that those people who derived their incomes from Stocks and Debentures should make their own returns in future, and should not have the Income Tax deducted by their bankers as at present. This would enable the Income Tax Commissioners to comply with the terms of his Amendment.

Amendment proposed,

In page 2, line 38, after the word "Act," to insert the words "on incomes under five hundred pounds the duty of four pence, on incomes from five hundred pounds per annum to one thousand pounds per annum the duty of sixpence, and on larger incomes."—(*Dr. Clark.*)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT: I rise to Order. I submit that a proposal to increase taxation cannot be moved by a private Member. The latter part of the Amendment seems to me to be out of Order.

THE CHAIRMAN: That is so in regard to the latter part of the Motion. I have only put that part which is in Order. The Amendment stops short at the duty of 7d., so that in no part of the Amendment before the Committee does the hon. Member propose to increase taxation.

*Dr. Clark*

MR. BARTLEY: Would that cut out the Amendment down in my name?

THE CHAIRMAN: I do not think so.

\*MR. A. C. MORTON (Peterborough) said, that what he wished to insist on was that the Liberal Party were pledged to a graduated Income Tax. It was all very well to tell them that the particular way they proposed to raise the question was out of Order. He did not care so much about that. All he wished to do was to impress on the Government that they were pledged to institute a graduated Income Tax; and although they might be out of Order in the way in which they sought to do that, it did not matter much. ["Hear, hear!"] Hon. Gentlemen were cheering too soon. He said it did not matter much, because it was the duty of the Chancellor of the Exchequer not to object to the way in which the Amendment was put down, but to put it down the right way himself. If he understood the matter rightly, that was what they paid a Chancellor of the Exchequer for. When the Chancellor of the Exchequer endeavoured to do that they would not question the order of his Motion, but would endeavour to carry it in accordance with the principles and pledges of the Liberal Party. It was admitted by everybody that wealth ought to pay a larger share of the taxation of the country than it did at present; that larger incomes ought to pay more; and that, consequently, there ought to be a graduated Income Tax. He had listened with pleasure to the Chancellor of the Exchequer the other night as to another part of the matter, and he was sure the right hon. Gentleman had made a very useful suggestion. No doubt there were difficulties in the way of imposing a graduated Income Tax, but those difficulties ought not to be beyond the intelligence of a Liberal, especially of a Radical, Chancellor of the Exchequer. The right hon. Gentleman might say that he had Jingo Colleagues to deal with in the Cabinet, and that they would not allow him a free hand; but he (Mr. Morton) wanted to assure the right hon. Gentleman that however it might be with the Cabinet, at any rate he would have the full support of the Radical Party. The people of the country were strongly of opinion that now that the Government was in the hands of the Democratic Party

something should be done for them. [*Laughter.*] Hon. Gentlemen might laugh, but when they were facing their constituents they did not laugh. He did not wish to drive the Tory Party altogether out of existence; but if they desired to exist they must give way to these demands, and assist the Radical Members to obtain a graduated Income Tax and other reforms. The Tory Party might rest assured that they would never get back to power without yielding to these demands. He did not know whether the right hon. Gentleman the Chancellor of the Exchequer had the figures before him which would show what would be the result of a graduated Income Tax upon the Revenue; but if he had, he (Mr. Morton) should like to see them. The right hon. Gentleman said that he had no time to deal with these matters. No doubt they had got to go on with the Home Rule Bill and finish it, and there was no one in the world more anxious to finish it than he was.

An hon. MEMBER: When?

MR. A. C. MORTON said, an hon. Member asked "When?" Well, next week. That would give full time for an honest discussion of the Bill. But the people of this country, although willing to do justice to the Irish people, required something for themselves. They required, among other things, that the taxation should be placed upon a fair basis. Up to the present time it had never been fair. The working and industrial classes had always been compelled to pay a larger share of the taxation than the wealthy classes, and they wanted that remedied as soon as possible. They now had a Chancellor of the Exchequer about as Radical as any Member of the Cabinet—

An hon. MEMBER: That is not saying much.

MR. A. C. MORTON said, an hon. Member remarked "That is not saying much," but he (Mr. Morton) thought it meant a good deal. He hoped that when Radical measures were pressed forward the right hon. Gentleman would be ready to support them. They were entitled to expect from a Radical Chancellor of the Exchequer who adhered to the Newcastle Programme that the incidence of taxation would be altered so as to make it fair to all parties. No doubt the right hon. Gentleman was

quite right in saying he had not yet had time to carry out his pledges; but if he could assure the House that he had all these matters before him, and would give his best attention to them, and would endeavour to discover a plan to carry out the object of the Amendment, it would be a source of satisfaction to the whole Radical Party.

SIR W. HARCOURT: The hon. Member is a little hard in imposing upon me the task of discovering a plan for carrying out a satisfactory policy which the hon. Member is unable to discover for himself.

\*MR. A. C. MORTON said, that he proposed a plan, but the right hon. Gentleman objected to on the ground that it was out of Order.

SIR W. HARCOURT: I am afraid it is out of Order; but as to the remarks of the hon. Gentleman, and his advice and that of his friends, I must take them in good part, because we know that they only chastise those whom they love. I am sorry the hon. Member's Amendment is out of Order, because the magnificent sum he would make a present of to the Exchequer would about equal a 2s. Income Tax on incomes above £10,000, and a larger sum on those above £50,000. But, unfortunately, the only part of the Amendment which would benefit the Treasury is out of Order, and that the only part of his proposal that is in Order is that which will tell against it. I think that is quite enough answer to the invitation to agree to this Amendment. I have no objection to the principle of graduation; I think it is just. I agree that the Death Duties ought to be altered, but the reason why I draw a distinction between them and the Income Tax is the different way in which they are collected. Under the Death Duties, you can ascertain the whole value of a man's property; but when you collect the Income Tax, you do not ask a man the value of his whole fortune. If a man has so much to receive in the form of dividends from the London and North-Western Railway, say, you deduct the Income Tax; you deduct it also in the case of Consols, and, in the case of professional men, four-fifths is collected at its source. I would, therefore, ask hon. Gentlemen to consider how, if they graduate the tax, they are going to collect it at the source? You must assess it at the highest rate from every-

body. You must assume that a man has got a higher income, and you must collect the tax at the higher rate. That is impossible, for it would cause great vexation and inconvenience. You would make a man pay at the higher rate, and then apply for a return of the overcharge. I have no hesitation in saying that if you attempt to collect the Income Tax by calling upon each man to disclose the whole of his fortune, you will lose a very large proportion of the tax. That is the reason that has prevented the graduation of the Income Tax, and I hope I have made that plain to the House. That is the practical reason, quite apart from any heroic objection to the proposal of the hon. Member.

SIR J. FERGUSSON (Manchester, N.E.) said, the remarks of the Chancellor of the Exchequer were directed not so much against what the hon. Gentleman proposed as against the general principle of a graduated Income Tax. He had given excellent reasons against a graduated Income Tax, but his observations did not apply to the proposition to extend the deduction from incomes of £400 to incomes of £500. Hon. Gentlemen on the other side indulged in conventional sneers against the Tory Party on this question, and, therefore, it might not be out of place to remind them that it was due to the Tory Party that the Income Tax was levied at a reduced rate on incomes of under £400. It was Sir S. Northcote who raised the incomes charged at the reduced rate from £300 to £400. That ought to relieve the Tory Party from the charge of indisposition to relieve the poorer part of the community from this impost. Nobody liked to be taxed, and perhaps the Income Tax affected us more sharply than any other tax, and those who felt it most were people with small fixed incomes. Unless Parliament were prepared to depart from the principle of raising a larger proportion of Revenue from direct taxation, he was afraid we must always suffer the annoyance of this direct impost, and those who bore it would grieve under it and be desirous for economy, so that the Income Tax might fall to a lower figure. He ventured to think that if they extended the abatement from incomes under £400 to incomes under £500 a year, in a year or two a strong case would be made out for extending it still further to incomes of

£600 a year, and so forth. He thought that the relief given some years ago had been very considerable; and seeing that they were unhappily liable to Income Tax, they should be prepared to see it increased from time to time—certainly when a Liberal Government came into power—and be prepared to bear it a little longer.

DR. CLARK said, he could not withdraw the Amendment, because, although he could not increase a tax, it would be open for the Chancellor of the Exchequer to do so if the first part of the Amendment were agreed to. As to the practical difficulty of how this proposal was to be carried out, the bankers could easily send a notice to the Income Tax officials that a certain amount was due instead of sending the money itself. That was done in many cases at the present time. In the case of the Directors of Public Companies, the secretaries of those companies made a return of their incomes as Directors, and the Commissioners of Income Tax asked to be paid upon that sum.

\*MR. A. C. MORTON said, he would ask his hon. Friend not to press his Motion after the statement of the Chancellor of the Exchequer. It was no good dividing for the mere sake of dividing. One matter, however, to which he wished to call the attention of the Chancellor of the Exchequer was as to whether he would consent to increase the amount on which abatement would be allowed. He should like to ask the Chancellor of the Exchequer whether he was in favour of allowing some abatement on higher incomes than £400 per annum?

SIR W. HARCOURT: In speaking on the Motion of the hon. Member for Islington (Mr. Bartley) the other night, I said I thought that the only way in which you could reform the Income Tax was by raising the figure to which abatement should be applicable and possibly raising the figure of exemption. It is quite true that Sir Stafford Northcote raised the figure of abatement from £300 to £400, and whenever the finances of the country allow of it. I think it may be taken for granted that it will be raised still higher. At the present moment, without extending the abatement at all, all I can do is to make the two ends meet, and therefore it is idle to propose that I should this year consent to a proposal to cut down the receipts from the

*Sir W. Harcourt*

tax for the next 12 months. However much I may desire to do so I have not the means this year, and therefore any hon. Member who votes for a proposal of the kind must understand that he is voting for a deficit. I have already stated the objections to the present Amendment. Under the present system of abatement you levy at the same rate upon all incomes. If you were to adopt a different rate for different incomes, you would entirely disorganise the whole system on which the Income Tax is levied, and I would strongly advise the House not to adopt any proposals of the kind.

MR. A. G. H. GIBBS said, he was sorry the Chancellor of the Exchequer had not spoken more strongly on general grounds against a graduated Income Tax; but as the right hon. Gentleman had conclusively shown that it was outside practical politics, it was hardly necessary to discuss it. He had not known until now that hon. Gentlemen opposite considered that people who had an income of £500 a year were poor people, and he would point out that it was nearly double the amount which in the Millennium a Member of Parliament was to receive. The proposal of the hon. Member for Caithness (Dr. Clark) was more far-reaching than the Chancellor of the Exchequer seemed to suppose, and he hoped the Committee would not agree to it.

MR. WARNER (Somerset, N.) expressed a hope that the Chancellor of the Exchequer would give the House some hope that in the near future means would be found of taxing the larger incomes on a higher scale. There were a great number of Radical Members who felt that it was important that something should be done on the subject.

MR. S. EVANS (Glamorgan, Mid) said, the Chancellor of the Exchequer had expressed himself in favour of a graduated Income Tax.

SIR W. HARCOURT: I said I was in favour of graduated taxation, but I said that the Income Tax could not be graduated, and I gave the reason.

MR. S. EVANS said, he was tempted to fall back on the old saying, that "Where there was a will there was a way." He thought that if the right hon. Gentleman had the will in this matter he would be able to find the way. It seemed to him (Mr. Evans) that there ought to be no

difficulty at all in having a graduated Income Tax, and that it would be very much better to have such a tax than to resort to the clumsy expedient of having abatements on small incomes. There appeared to be no difficulty in having the tax collected at its source. If the tax were collected at the higher rate on all incomes, those who had lower incomes could claim an abatement and get a deduction made. The pious opinion expressed by the Chancellor of the Exchequer was not of much value, and the only way of forcing the right hon. Gentleman to find a way of carrying his wishes into effect was to divide against him.

MR. COURTNEY (Cornwall, Bodmin) said, the hon. Member who had just sat down had suggested a plan of collecting a higher tax upon the larger incomes which would add enormously to the inconvenience and trouble of making Income Tax Returns. His own Return for Income Tax for many years had been extremely simple, because he had made no return at all, all his income being taxed at the sources, of which there were some 50 or 60 altogether. Under the plan suggested by the hon. Member, it would be necessary to enumerate every petty investment, which was now taxed at the source. This would be a misery for anyone who made out the return. It would involve much trouble, and there would be no means of checking it. The hon. Member for Caithness (Dr. Clark) had a method of meeting the difficulty; but if the increased tax were collected through the secretaries of the company paying the dividends, it would be collected in the first instance at the higher rate. The result would be that a very poor man might be taxed in the first place at 2s. in the £1, and would have to apply for a rebate. Surely it was a sufficient answer to the proposition which had been taken up by the hon. Member for Caithness to say that the Chancellor of the Exchequer recognised, as every Chancellor of the Exchequer for many years past had recognised, that the burden of direct taxation required adjustment in some way or other, especially with regard to those classes of persons who were at the end of the scale, and who were undoubtedly exposed to indirect taxation also, but that the only means of making the adjust-

ment was through the abatement. Sir Robert Peel had fixed the limit of abatement at £150, whilst the present Prime Minister had raised it rather higher, and Sir Stafford Northcote had brought it up to its present point. The plan proposed by the hon. Member in support of this Amendment was one which would not bear examination. The Chancellor of the Exchequer said he was ready to extend the system of abatement when he was able to do so; but he had pointed out that at present he found difficulty in making both ends meet. As a matter of fact, the right hon. Gentleman had not made both ends meet, because the surplus was entirely dependent upon a windfall which ought really to be appropriated to capital. This being the situation this year, it would be in the highest degree imprudent to accept the Amendment.

Question put.

The Committee divided:—Ayes 46; Noes 243.—(Division List, No. 64.)

\*MR. BARTLEY (Islington, N.) said he did not propose to move the Amendment in his name exactly as it stood on the Paper. Having heard the opinion of the Chancellor of the Exchequer, he proposed to move the Amendment in the following form:—

"Clause 6, page 2, line 38, after 'sevenpence,' to insert 'but allow an abatement of one hundred and twenty pounds on annual incomes from whatever source between one hundred and fifty pounds and five hundred pounds.'"

The Chancellor of the Exchequer had acknowledged that the people of the lower middle class were about the hardest taxed of any class, and it was to grant them some relief that he now proposed that the abatement at present existing should be extended. Every person now in receipt of an income of between £150 and £400 received an abatement of £120, and the Amendment he proposed was to raise that limit from £400 to £500. The financial effect of adopting the proposal would be very small, and would certainly not exceed £90,000 or £100,000. He hoped, in the interests of a class who were most severely taxed, that the Chancellor of the Exchequer, who had admitted the principle of the Amendment, would agree to accept it.

*Mr. Courtney*

Amendment proposed,

In page 2, line 38, after the words "sevenpence," to insert the words "but to allow an abatement of one hundred and twenty pounds on annual incomes from whatever source between one hundred and fifty pounds and five hundred pounds."—(*Mr. Bartley.*)

Question proposed, "That those words be there inserted."

SIR W. HARCOURT was sorry to say his poverty and not his will compelled him to decline to accede to the Amendment. The hon. Member was good enough to say it would only cost between £90,000 and £100,000. He should have been glad to have acceded to the proposal if he could have done so. But he was sorry to say he had had occasion to consider this very matter, and that, from the calculations that had been made, he had ascertained that it would cost a great deal more than the hon. Member had stated. In fact, it would cost two or three times as much. Although he should have been disposed to accept such a proposal, it was impossible on the present Budget to do so.

MR. HANBURY (Preston) said, the Amendment suggested nothing novel in the way of a differential tax or a graduated tax. What it did was simply to extend an already recognised and existing system, and further than that it extended it to a limit which the Chancellor of the Exchequer had himself admitted would, in ordinary times, be a proper limit to which to extend it. The adoption of the Amendment would not seriously trench on the Chancellor of the Exchequer's balance.

SIR W. HARCOURT: Oh, yes it would.

MR. HANBURY: The balance of the Chancellor of the Exchequer was about £100,000, and he did not think the right hon. Gentleman would assert it would take up the whole of that.

SIR W. HARCOURT: It will take a great deal more.

MR. HANBURY: Those who had framed this Amendment had gone into figures just as the Chancellor of the Exchequer had done, and they maintained that it would be very little over £100,000, if any. He hoped his hon. Friend would press the Amendment to a Division.

Question put.

The Committee divided:—Ayes 68; Noes 211.—(Division List, No. 65.)

\*MR. J. G. LAWSON (York, N.R., Thirsk) moved to amend the clause relating to the annual value of the occupation of lands, with the object of reducing the duty thereon under Schedule B from 3½d. to 3d. He said this was such a small matter that it need not frighten the most impoverished Chancellor of the Exchequer. It was, indeed, so small that he ought almost to apologise to the agricultural interest for bringing it forward at all; but they had so often been challenged to produce some definite proposal for the benefit of agriculture that they suggested this little measure of relief, which would enable the Government to mark their sympathy with the agricultural community in their present difficulty by giving the farmers some practical assistance. That assistance was very much needed indeed; for it was generally admitted that the agricultural industry was in a very great state of imppecuniosity. While the profits of trade had increased by millions, the profits of agriculture had reached the vanishing point. He estimated that the loss to the Revenue involved in his proposal was only £4,400. That was a very trifling sum—less than the salary of one Cabinet Minister. The Chancellor of the Exchequer would no doubt reply—“Why do not the farmers put themselves under Schedule D, and pay Income Tax on the profits instead of on the annual value of the land?” The answer was that while farmers were careful in large matters, such as the price of a horse, they were apt in small matters to be negligent about details, and they did not keep accounts as a rule, while those who did keep accounts were not anxious to expose the nakedness of their position. Then, if the farmer wished to go under Schedule D, he would have to give notice before the 5th of June; but at that time he was unable to know whether his profit would be more than half his rent, and which Schedule would be more beneficial to himself. At any rate, the time should be extended to the 5th of August. He hoped the vigorous effort of the President of the Board of Agriculture to get the farmers to go under Schedule D would be successful, for it would induce them to keep accounts. He did not wish to shock the Chancellor of the Exchequer by any wild proposal. He wished to be

mild and moderate, and, therefore, he only asked the right hon. Gentleman to relieve the farmers from paying this extra 1d. The Amendment, if carried, might lead to the discomfiture of one Chancellor of the Exchequer; but it would bring joy and pleasure to thousands of the constituents of hon. Members on both sides of the House, and for that reason he hoped it would be accepted.

Amendment moved, to leave out “half-penny.”—(Mr. J. G. Lawson.)

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): I think no class of the community deserves more sympathy and more indulgence than the farming class which the hon. Gentleman so ably represents; but I believe that, under Schedule D, the farmers would receive much more relief than under the Amendment of the hon. Member. The hon. Member stated that Schedule B was founded on the assumption that a farmer's profits were equal to half his rent, and that a farmer would find it difficult in June to make up his mind whether his profit would be more than half his rent. That is the most optimist view of the position of the farmer I ever heard. I should have said that a farmer would say he made no profit at all. The farmers had a way out of the difficulty by placing themselves under Schedule D. No farmer whose profit is less than £150 a year need pay a farthing of Income Tax if he chooses under Schedule D. If a farmer makes a profit, why should he not pay like anyone else in the community? The argument that a farmer keeps no accounts would not be considered in the case of other tradesmen, and I do not see why the hon. Member should ask that the agriculturist should be treated in a different manner from other Income Taxpayers. The hon. Member has a right to ask that the farmers should be placed in the same position as other traders. If they make no profits they pay no Income Tax; if they make a small profit they pay a small tax; and if they make reasonably large profits they pay a reasonably large tax. It is a dangerous thing to treat any class of the community on a different footing from



the others, and it is a dangerous thing to establish a differential rate of Income Tax. If the hon. Member will only exert himself to induce the farmers to see the advantages they will derive by coming under Schedule D, he will do them a much greater service than the proposal in the Amendment, which I hope he will not press.

\*MR. ROUND (Essex, N.E., Harwich) regretted that the right hon. Gentleman had not acceded to the proposal of his hon. Friend, for the amount in question, as pointed out, was but small. In fact, it would have been a reasonable Motion to make to relieve farmers from all payment under Schedule B, and that would have been a great boon to them. The exceptional treatment asked for was owing to the position of agriculture, and the process, almost of extermination, which was going on in his county among farmers due to depression. He asked why the English farmer paid more under Schedule B than the Scottish or Irish farmer? for he had never received a satisfactory explanation on this point.

MR. GOSCHEN (St. George's, Hanover Square): As the author of the transfer of the farmers from Schedule B to Schedule D, I put it to my hon. Friend whether he will serve the farmer by encouraging him to make this declaration under Schedule B instead of Schedule D? I sympathise deeply with the position of the farmers. The general anticipation is that this year they will make no profits at all. That being so, the best plan for those who have influence over the farmers is to encourage them to make their declarations under Schedule D, for under that Schedule, if there is no profit at all, they will not be asked to pay any Income Tax at all. I do not think that the Amendment is so favourable to the farmers as my hon. Friend believe. It would encourage to refrain from doing what it is their interest to do—namely, to keep accounts, in order to be able to show whether or not there is any profit, and I do not think it would be of such advantage to them as making their declarations under Schedule D.

COLONEL LOCKWOOD (Essex, Epping) asked the Minister of Agriculture whether steps had been taken as to

the circulation of a paper among the farmers, showing the advantages of making their declarations under Schedule D?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden): The Board have circulated copies of the leaflet in great numbers to farmers and to the provincial papers. There has been a great demand from all parts of the country for the leaflet, so much so that 5,000 additional copies have been ordered, which will be circulated at once.

MR. ROUND said, he quite agreed with his right hon. Friend the Member for the St. George's Division as to the necessity of encouraging the farmer to go under Schedule D; but they had to deal with the existing state of things, under which the farmers preferred to go under Schedule B.

MR. FREEMAN-MITFORD (Warwick, Stratford) asked if the time had not arrived when the three countries should pay equally? Farms in England were supposed to represent half the annual value, and in Scotland and Ireland about a third of the annual value. At the present moment he took it that both the Scotch and the Irish farmers were in a better position than the English farmer. In the Scotch Lowlands it was not contended by anyone that the depression in agriculture had been felt as it had been in the wheat-growing districts in England, and the Irishmen had got the benefit of judicial rents; therefore, at any rate, in their case they had an advantage over our farmers. He thought, therefore, the time had arrived when the English farmer might legitimately ask the Chancellor of the Exchequer to put matters upon an equality with regard to the three countries.

SIR W. HARCOURT: I am ashamed to say I am unable to answer the question as to the origin of the difference between the three countries; it is lost in antiquity. Whether it was the Treasury or whether it originated in the Articles of the Union I do not know; but I should imagine it was founded upon some notion of difference in relation to prices in the various countries. But, with reference to the remarks of my hon. Friend, I would say they can bring them all to an equality if they all go under Schedule D; that is the way in which you would

get rid of these differences; these differential fractions would disappear if everyone would come under Schedule D, as everyone would then be taxed upon the profits they made.

MR. JEFFREYS (Hants, Basingstoke) said, there was another reason for the difference. In respect to Scotland, allowance was made for the repair of houses, and an abatement was made in consequence, which was not the case in England.

Question put.

House cleared for a Division.

MR. J. G. LAWSON, seated, and with his hat on, asked, on a point of Order, if he was now entitled to withdraw the Amendment?

THE CHAIRMAN: No; the hon. Member is not entitled to withdraw the Amendment, but it may be negatived without a Division.

Question put, and negatived.

Question put, "That Clause 6 stand part of the Bill."

\*SIR A. HICKMAN (Wolverhampton, W.) moved the omission of this clause. With regard to small house or cottage property, he submitted the tax was an unfair one; that an abatement should be allowed in respect of commission; it was allowed to the tithe-owner and ought to be allowed to the cottage-owner. He also submitted that abatement should be allowed for fire insurance. It was allowed upon stock-in-trade and ought to be allowed on property, because if the house was burned down and not rebuilt the tax would be altogether lost to the Revenue. An abatement should also be allowed in case of defaulting tenants; bad debts were allowed to traders, and he wished to know why they should not adopt the same principle with regard to small properties? He did not wish to detain the House, but he would urge the right hon. Gentleman to consider these small matters between now and the time he had to produce the Budget next year.

Amendment proposed, to omit the Clause.—(Sir A. Hickman.)

SIR W. HARCOURT: In introducing the Budget I stated I was very desirous of removing this anomaly, but that it could not be dealt with alone, and I think that the House generally was perfectly

satisfied with the declaration I then made.

MR. WINGFIELD-DIGBY (Dorset, N.) said, that the farmers were told they should come under Schedule D; but for those who had not kept accounts it was impossible for them to apply under Schedule D for 12 months or two years, and they did not know how many of them would be ruined by that time. He merely wished to point out to the Committee that to tell the farmer to apply under Schedule D was of no use whatever—what was wanted was present relief.

SIR W. HARCOURT: The hon. Member is mistaken as to the amount of elaborate accounts that is required from the farmers. The farmers would necessarily have some means of satisfying the Commissioners as to what their real profits have been without keeping a ledger by double entry.

Question put, and negatived.

Clause 6 agreed to.

Remaining Clauses agreed to.

\*MR. GIBSON BOWLES (Lynn Regis) moved the following new clause:—

(Amendment of 5 and 6 Vic. c. 35.)

"The first rule of the first case under Schedule of Section one hundred of the fifth and sixth Victoria, chapter thirty-five, shall be read as if the words 'average of three years' were omitted therefrom, and the words 'account of the profits or gains of the year,' were inserted in their place, and the words 'Provided always,' to end of rule, were also omitted."

The object of this was to levy the tax on the income, and not, as now, on an average. In other words, the Income Tax was the charge made, not upon the income of any year, but on the total for three years divided by three. No doubt this rule of charging upon an average was conceived and carried out with the intention of being fair to the trader, to enable the losses of one year to be met by the increased income of another, and thus a fair average might be arrived at. That sounded very plausible before they looked carefully into it; but when they looked into it, it would be seen at once that it did not work as it was intended. But even if it did, he should still say the principle was wrong. The object was, not to get a fixed and invariable tax, or a tax that varied very little; the true principle of an Income Tax was that it should vary according to the income; that it should

follow the fortunes of the income; that the man who was increasing in prosperity should pay, if anything, more, and the man who was decreasing in prosperity should, if there was to be a difference, pay less; but exactly the contrary principle was carried out through this system of average. Take the instance of a man who in the first year made £1,000, in the next year £2,000, and in the third year £3,000; at the end of the third year he was taxed, not upon the £3,000, but upon the £1,000, plus £2,000, plus £3,000, which was £6,000, divided by three, and he was taxed upon £2,000. Take the converse case, the man whose income, by unfortunate circumstances, went the other way. This man was treated in the same way as the prosperous man, and accordingly he was taxed upon £2,000, the result being that the prosperous man was taxed upon £1,000 less than he ought to pay, and the unfortunate man, who was gradually approaching ruin, was taxed upon £1,000 more than he ought to pay. It might be said that three years was not a sufficient period to take; therefore he had worked out two cases of 10 years. "A," beginning with £1,000 and ending with £10,000, would pay upon £8,500, less than he ought to pay, while "B," beginning with £10,000 and ending with £1,000, would pay upon £8,500, more than he ought to pay. The tax was thus not a fair tax, for either the Chancellor of the Exchequer was having withdrawn from him something to which he was entitled, or the taxpayer was having taken from him something that should not be taken. The Chancellor of the Exchequer told them that the income of the country was steadily increasing; that the wealth of the country was increasing and had been increasing. The result was that under Schedule D there was a constant addition to income in the majority of cases; and it followed from that that, in the majority of cases under Schedule D, the Chancellor of the Exchequer was getting much less than he was entitled to. His proposal was to do away with that, to charge on the concrete income as it stood in the last year, and in that manner the prosperous man would pay what he should pay, and the man who was going down hill, who was approaching ruin, would not be called upon to pay upon an income which he had not realised.

*Mr. Gibson Bowles*

New Clause (Amendment of five and six Vic. c. 35).—(*Mr. Gibson Bowles*),—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

SIR W. HARCOURT: It is rather late in the evening to go in these transcendental theories of taxation. The common sense of mankind has adopted the principle of averages in taxation, and no one would more condemn this Amendment than the trading classes in whose interest it is said to be proposed.

SIR F. DIXON-HARTLAND (Middlesex, Uxbridge) was very glad that the Chancellor of the Exchequer was not going to assent to this new clause. It was perfectly true that one man would pay too much in one year, but on the law of average he paid what was right on the whole. The hon. Member for Lynn (*Mr. Gibson Bowles*) had spoken of a man who made a profit on all the three years. Under the present system, if that man made a loss he had a right to deduct his loss, so that in reality he got back part of his loss; whereas, if this new clause were passed, he would have to pay on the profit and get nothing back for the loss; therefore, it was distinctly against the commercial classes that this clause should be passed, and, on that account, he was very glad that the Chancellor of the Exchequer would not agree to it.

Question put, and negatived.

Bill reported, without Amendment; to be read the third time To-morrow, at Two of the clock.

#### MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to amend the Law respecting the transfer and exercise of Church Patronage, and the avoidance of Benefices." [Church Patronage Bill [*Lords*]; Police Acts Amendment Bill; Post Office (Acquisition of Sites) Bill.

That they have come to the following Resolution, viz.—

"That it is desirable that the Copyhold (Consolidation) Bill be referred to the Joint Committee of both Houses of Parliament on Statute Law Revision Bills."

It being One of the Clock, *Mr. Speaker* adjourned the House without Question put.

House adjourned at One o'clock.

## HOUSE OF LORDS,

Friday, 5th May 1893.

Several Lords—Took the Oath.

## OYSTER AND MUSSEL FISHERY PROVISIONAL ORDER CONFIRMATION BILL.—(No. 63.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\*LORD PLAYFAIR, in moving the Second Reading of this Bill, stated that its provisions had been mutually arranged between the Secretary for Scotland and the persons interested in the locality.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Playfair*.)

Motion agreed to; Bill read 2<sup>a</sup> accordingly.

## OFFICIAL LIQUIDATORS (IRELAND) BILL [H.L.]—(No. 43.)

## COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee upon the said Bill."—(*The Lord Acton*.)

\*THE EARL OF BELMORE, before the House went into Committee, asked the noble Lord to explain the object of the Bill, which had rather a peculiar history. It was read a first time on March 21 and a second time on March 24, without explanation or discussion, and very little was known in Ireland about the measure; but, from various communications received by himself and other noble Lords, it appeared that it was a Bill of a very contentious character. He held in his hand numerous representations from different interests on the subject—resolutions passed against it by the Land Agents' Association of Ireland, by the Committee of the Northern Law Society of Ireland, a statement on behalf of the Institute of Chartered Accountants, and other important bodies, a resolution from the Chambers of Commerce in Dublin and Belfast, and also from the Council of the

Incorporated Law Society of Ireland; and, in addition to the Irish objections, a resolution of a meeting of the Trade Protection Societies' Association which had been held in London. All those bodies earnestly protested against the Bill. The Amendments he had put on the Paper related to the resolution passed by the Land Agents' Association, which stated that official liquidators were hitherto unknown in Ireland; and they believed that the creation of such an office, with powers not hitherto conferred on any officials in the United Kingdom, would cause difficulty and confusion in the management of landed estates. Under it the management of estates would pass from the hands of experienced agents to officials who had not hitherto had to deal with landed property, and whose duties in connection with the Bankruptcy Court rendered them particularly unsuited for the management of estates. They represented that the duties which these officers would have to discharge would require their constant attendance in Dublin, and therefore that their personal management of the estates would be impossible. He did not know what was the reason for introducing this Bill, but there might be a very good reason for it; and he understood it was intended to assimilate the law and practice in Ireland to the law and practice which had prevailed in England. It was evident, from the sweeping changes proposed, that the Bill was one of a very contentious nature, and he hoped the noble Lord would be able to admit the Amendments, which would, to a great extent, remove the main objections to it.

VISCOUNT MIDLETON entirely concurred in the observations which had been made by his noble Friend. Similar representations had reached him from the same quarters, and he thought the objections taken to the Bill were, in substance, just. It was perfectly true that the object of the Bill was to assimilate the law in Ireland in the case of bankruptcy and official receivership to that which had prevailed in England during the last few years. But it should be remembered that there had been considerable legislation with regard to Ireland which did not concern England, and that legislation had made it all the more necessary that persons entrusted with the duties contemplated by the Bill should

have personal knowledge of everyone—and especially with the circumstances of the tenants—with whom they were brought in contact. Official liquidators could not have such knowledge, and, therefore, it would be impossible for them properly to manage Irish estates. In his judgment they were about the most unfit persons who could possibly be selected for such a purpose. The Bill also trenched unfairly on the work hitherto done efficiently by accountants, solicitors, and land agents. Officials of the Court of Chancery residing in Dublin or other large towns would be utterly incompetent to deal with the complicated questions which must arise throughout Ireland under this Bill; and he, therefore, hoped the noble Lord would either withdraw the Bill altogether, or remove the objections to it by admitting the Amendments.

LORD ACTON said, this Bill was introduced originally at the instance of the Irish Bench as far as they were interested in the matter, and he was not aware that there was any objection to it, or that it was in any way a contentious Bill. That was one reason why he gave no explanation of it on the Second Reading, and he might add that he was not very anxious to address Irish Peers on a question which they would probably understand much better than himself, or to discuss a measure of this description in the presence of so many Judges. The Bill was of a purely legal character, proposing to extend to Ireland analogous securities to those given by the Companies Winding-up Acts in England. Before going further, he would accept the Amendments alluded to standing in the names of the noble Earl (Lord Belmore) and the noble Marquess (Lord Waterford). The 1st clause of the Bill proposed to place at the disposal of the High Court in Ireland the services of officials already attached to the judicial system as official liquidators of public companies. This was following the principle adopted in England, which had been considered extremely successful. The clause was, however, entirely permissive, leaving the option of appointing to the Court, whose power was not fettered in regard to the appointment of a commercial liquidator in cases free from suspicion. Clause 2 contained no new principle, and only extended the powers

of the Court in the choice of liquidators. The desirability of giving the Court that power had been fully recognised by the Law Officers of two successive Administrations as well as by the Judges. Clause 3 placed at the disposal of the Court the services of the same officials for the purpose of safeguarding property in pawn belonging to litigants. Clause 4 introduced the only new principle in the Bill: that of enabling the Court to call in the aid of the official liquidators in the administration of estates of insolvent or deceased persons. It was believed that the adoption of the principle here proposed would result in the protection of property which in many cases at present was either made away with, or not distributed according to law. Clause 5 referred to the application of the law in lunacy matters under the direction of the Lord Chancellor. The Amendments proposed by both the noble Lords would be accepted by the Government, and he, therefore, hoped their Lordships would not at this stage resist the further progress of the Bill.

THE MARQUESS OF WATERFORD said, the Bill had passed very quickly through its previous stages, and had not, so far, attracted much notice in their Lordships' House. He was glad that the noble Lord had now given some explanation of it, but he could not agree that Clause 1 was permissive, as the noble Lord had said, and was glad the Amendment to make it so would be accepted. The Bill had caused great excitement in Ireland among officials and others, especially solicitors and chartered accountants, who feared that under its provisions they would be compulsorily forced to give up duties which, it was generally admitted, they had satisfactorily performed hitherto. It would be rather an extraordinary thing to say that an official of the Court sitting in Dublin should have the power of managing estates throughout the country. The noble Lord had intimated that the 1st clause was permissive, but the clause ran—

"The official assignees of the Court of Bankruptcy in Ireland, hereinafter called the 'official assignees' shall, by virtue of their office, be the official liquidators," &c.

The bankruptcy assignees, of course, managed bankruptcy affairs with rapidity, but it would be a most serious

thing if they forced on sales of landed property. Land in Ireland was at present almost unsaleable, and if sales were forced it would be sold at a nominal value, or for almost nothing at all. This Bill was bad altogether, but he did not propose at the present stage to move its rejection. He was glad to hear that the noble Lord would be ready to receive the Amendments that were put down, because, as it at present stood, the Bill would cause much friction and great dissatisfaction. He had received communications from Ireland showing that the Bill was regarded with much disfavour; and he would suggest that, the Amendments submitted having been accepted, some time should elapse before the Report stage was taken, in order that the matter might be further considered.

\*LORD ASHBOURNE: My Lords, all that public opinion in Ireland has before it in reference to this Bill is the copy which has been circulated without any change or amendment. The opposition to it is growing in volume and intensity; and instead of being a measure which was to be allowed to pass quietly by consent, it is quite plain to me that, in its present shape, unless the objections to it are met in a conciliatory spirit, it will, in its subsequent stages, be one of the most keenly-fought Bills which your Lordships have had introduced during the present Session. To indicate the class of opposition which has developed, I may tell your Lordships that I have received representations from the Incorporated Law Society of Ireland, the Chambers of Commerce of Dublin and Belfast, and other bodies, against the Bill, and it is manifest from the amount of literature that has been issued there is a good deal of opposition to the measure. I believe the history of the Bill is that a suggestion was made that it would be a reasonable, and not an unwise, thing to give power to the Courts in these matters whenever they thought it desirable to appoint the official liquidators to perform certain functions. I believe that is the view of the Lord Chancellor, the Master of the Rolls, the Vice Chancellor, and the Judge of the Land Court. I do not know that they think it is a Bill of any supreme importance; but I believe their view is that it would be a useful and wise thing to give the Courts such a discretion

as I have indicated. Now I have gathered what I was before aware of, that the noble Lord in charge of the Bill is willing to make it, instead of compulsory, purely voluntary, leaving it in the discretion of the Judges to make the appointments if they think right; and also to make it plain that the official assignees are to have no power to act as land agents and receivers. There is also, I believe, a desire to show that these officials are not to interfere with the creditors in the selection of a solicitor. These are important changes, but they are not known of in Ireland; and I think it would be wise if there is any such machinery in your Lordships' House to commit the Bill now *pro formâ*, let the noble Lord in charge of it introduce such Amendments as he thinks right and such others as the draftsman may think necessary, and then circulate a new print of the Bill. Let that go forth in Ireland, let the parties interested have the opportunity of considering whether their objections have been met, and then, at the end of two or three weeks, we shall be in a better position to know whether the further progress of the Bill will be easy. That course, I know, is taken in the House of Commons with great advantage. The only other course would be to defer the Committee stage for some time, and allow those interested in Ireland to consider the proposed changes. But it is quite manifest to me that the Bill, in face of the growing volume of opposition to it, will not pass unless a very earnest effort is made to meet as far as may be reasonable some of the various objections which have been taken to the measure in its present shape.

THE LORD CHANCELLOR (Lord HERSHELL): My Lords, I quite agree that there is some weight in the objections taken to the Bill. At the same time, as regards the 1st and 2nd clauses, I think your Lordships should not be too closely guided by the expressions of opinion which have been given. It was owing to the experience in this country of the incidents attending the winding up of companies that provision was made for greater supervision, and for insuring that there should be proper investigation into the transactions which have led to the failure of companies. No doubt some exception has been taken in England to the measure as leading to officialism.

I have said before that I have considerable sympathy with the objections of those who are opposed to appointing officials to do that which in the ordinary course has been done by professional persons not officials connected with any Government. But, on the other hand, in these company cases there is work to be done which will be more efficiently performed by having official persons to look into the transactions; and it was on that ground that the late Government introduced their proposals relating to the winding up of companies. The first two clauses of this Bill contain the same proposals with reference to Ireland. I do not think there is any good ground for objecting to this part of the Bill, but I admit that the subsequent provisions may be open to criticism. I would, therefore, suggest that Amendments as to which there is agreement should be inserted in the Bill now, and that contentious points should be passed over and considered by the Standing Committee. Before the Bill reaches the Standing Committee there will be an interval, during which it can be circulated through Ireland, and to allow for its consideration.

VISCOUNT DE VESCI had not heard very clearly the remarks of the noble Lord in charge of the Bill, and had not, therefore, clearly understood whether the noble Lord would accept his Amendments to exempt agricultural estates from its operation so far as it related to the appointment of official assignees as receivers of rents and estates in the hands of the Court. If they were to be accepted and the measure then further considered on the Report stage, he was willing to withdraw those Amendments at this stage, and bring them forward at a later period, dependent, of course, upon whether the noble Lord in charge of the Bill would vary the terms of the clause.

LORD ACTON thought that all the difficulties raised upon details by the noble Lord were met by the Amendments already standing in the names of noble Lords which had been already in principle accepted.

VISCOUNT DE VESCI understood that it would be open to him at a future stage to make further Amendments if necessary.

*The Lord Chancellor*

LORD ACTON assented.

THE MARQUESS OF SALISBURY: My Lords, I think, whether they are great interests or not which are involved, it is clearly desirable that we should know whether these Amendments are agreed to by consent before we go to the Committee stage.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): The Amendments are accepted; when they have been inserted the Bill will be reprinted; and then it will go in due time to the Standing Committee, leaving a long interval in order that it may be fully considered. There will be an ample interval left for those who take an interest in it in Ireland to consider it. It seems to me that is the simpler mode of proceeding.

THE MARQUESS OF SALISBURY: It is a matter rather for the consideration of the Irish Peers, but it seems to me that when the Government have by their action entirely altered the draft of the Bill in its important particulars it is desirable the House should know what the Bill really means before it gets to the Committee stage again.

THE EARL OF KIMBERLEY: I do not understand that it is by our action. It is by the action of noble Lords opposite who move the Amendments they think necessary. The Amendments are theirs; and when they are put in the Bill will be reprinted, and everybody will have the opportunity of considering it. It cannot prejudice anybody, I should think.

VISCOUNT DE VESCI withdrew his Amendments for that day, and would keep them for a future stage. He understood that some of the Amendments were agreed to.

Motion agreed to; House in Committee accordingly.

Amendments made.

Bill re-committed to the Standing Committee; and to be printed, as amended. (No. 87.)

SALE OF INTOXICATING LIQUORS  
(IRELAND) BILL [H.L.]

SECOND READING.

Order of the Day for the Second Reading, read.

\*LORD O'NEILL, in moving the Second Reading of this Bill, explained that its chief object was to make permanent the Irish Sunday Closing Act of 1878, and to extend the operation of that measure to the five large towns which were excluded from it. That small Bill, as it might be called, without in the least minimising its importance, had conferred great good upon the country in the direction of temperance. The Bill also provided for the earlier closing of public-houses on Saturdays, and would effect some change in the law concerning travellers. In former Sessions legislation in this direction was proposed when the four years during which the Act of 1878 was to remain in operation were coming to an end. Lord Carlingford brought in a Bill on the subject, and in moving the Second Reading on 15th March, 1883, in the House of Commons, stated that "public opinion in Ireland was much in favour of the Bill;" that Sunday drunkenness had greatly decreased, and that the arrests from that cause had been at that time reduced as much as 50 per cent. That legislation was approved in their Lordships' House and in the House of Commons; but it had not been proceeded with in consequence of the pressure of other Business. The Bill was brought in again in 1884, when Sir George Trevelyan, in moving the Second Reading, said, after careful study of the statistics, he had come to the conclusion that Sunday Closing had been a great and unqualified benefit to those parts of the country where it had been in operation, and that it might be conveniently extended to the five exempted cities. For the same reason, however, that Bill again went no further in 1884. In 1887 Mr. T. W. Russell brought in a Bill for the earlier closing of public-houses on Saturdays. That Bill and the question of the working of the Act of 1878 were referred to a Committee. The subject was considered by the Committee in 1887, and the present Bill was based upon their Report. That Report stated that the

evidence was overwhelming in favour of making the Act perpetual, and that it was advisable to extend Sunday Closing to the cities and towns now exempted. It further stated that there was little difference of opinion as to earlier closing on Saturday night, and that much of the excessive drinking and waste of wages would be saved if the public-houses were closed earlier on that day. Allusion was also made in it to the difficulty of applying any test but that of mileage to the *bonâ fide* traveller, and of preventing other persons from availing themselves of that clause. The next step was that Sir Thomas Lea brought in a Bill on this subject, and carried it to a Second Reading in the House of Commons on April 23, 1890. Mr. Madden, the Chairman of the Committee, now Mr. Justice Madden, the then Attorney General for Ireland, took part in that Debate, and declared that there was an almost unanimous expression of opinion in favour of the Bill on the part of every class of society in Ireland. Sir George Trevelyan stated that Sunday Closing had led to no increase in "shebeenism." He had given their Lordships the history of that Bill, and he hoped they would give it a favourable reception. Politics did not enter into the question, and it would be a scandal if a measure of so simple a kind should any longer be put off in the face of an earnest desire so generally expressed. Many excellent people in Ireland who were neither bigots nor fanatics rejoiced in the success of the Sunday Closing Act, and thought that at some time within the last 10 years Parliament ought to have passed some Bill of this sort. This measure had nothing to do with any of the other Temperance Bills now before Parliament, and as compared with them had in its favour a successful 15 years' experience of the working of the existing Act. He trusted their Lordships would not refuse to take the step which would make that measure perpetual, and which would enable the good work hitherto done to still be carried on.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(The Lord O'Neill.)

THE EARL OF WEMYSS moved the rejection of the Bill. He remarked that strange to say on that very day, in another place, precisely the same Bill stood for



Second Reading. Such a course was unusual, but he would ask the promoters of the Bill with which horse they intended to win, and whether they intended to win on this Bill and let the other in another place be scratched? His only apology as a Scotchman to noble Lords from Ireland for taking part in the discussion on a measure only affecting Ireland was that, happily as yet, Ireland was a part of the United Kingdom. The noble Lord had stated that the Bill was the result of the deliberations of the Committee in another place; but he believed the recommendation had only been carried by a bare majority.

\*LORD O'NEILL had intended to state that the Chairman was not in favour of including the large towns.

THE EARL OF WEMYSS said, they had then, at all events, the fact that the Chairman of the Committee was against some of the provisions in the Bill. It was proposed to bring the five largest towns in Ireland within the provisions of the Bill; but, so far as he knew, Belfast was the only one of them that strongly advocated the Bill. He found it stated in a paper sent round to their Lordships that there was practically no public demand for the measure in Ireland; in fact, the manifestations of public opinion proved the contrary. The Corporations of Dublin, Cork, Limerick, and Waterford had all passed resolutions against Sunday Closing. Archbishop Walsh, in a speech he made on February 23, strongly deprecated such a measure being applied to Dublin. The danger from it was that it encouraged illicit drinking in the shebeens. Sunday Closing in Cardiff and Glasgow had been a notorious failure. In Glasgow Sunday Closing had made the law-abiding Scotchman a law-breaker at last. The drink sold in the shebeens was horrible. As an Irishman not long ago said, "it was like a torch-light procession going down a man's throat in the dark." If the South of Ireland did not want Sunday Closing, why on earth should Belfast be so anxious that the Bill should be extended to all parts of Ireland? He could only understand it on one of two grounds—first, that the people of Belfast were in intimate connection with the people of Scotland by blood and religion, and were anxious on a great Imperial question to secure their votes. Geographically, the

North of Ireland was only 11 miles from Scotland. Perhaps another reason why the people of Belfast were in favour of the measure was in order that they might give an object-lesson in Home Rule by putting on the South of Ireland a Bill which the Southerners disliked just as the South was now putting legislation on the North which the Northerners disliked. He could see a solution of the difficulty. Within the last 24 hours they had been told that there was an idea of exempting Ulster from the scope of the Home Rule Bill, with the concurrence or assent, it was said, of the South. Let their Lordships apply the same principle to this Bill. Why should the Southern towns, which objected to this measure, not be exempted from its operation? Why should it not apply to Belfast only? The proposal to close the public-houses at 9 o'clock on Saturday evening was simply intolerable tyranny and class legislation, the effect of which would be to deprive the poor man of his beer, while the rich man would have in his cellar as much wassail as he wanted. With regard to the question of the *bonâ fide* traveller, he saw no reason for extending the limit to six miles. It was hard that a working man who wished to walk, on a Sunday, to some pleasant place near his home should not be able to wet his whistle at the end of a three miles' distance. Take their Lordships' case. Suppose their Lordships wished to take a recreative and healthy walk to Hampstead Heath, which was just three miles from that House, would they not think it very hard if they could not refresh themselves there without having to come back the whole way along the dusty road and get what they wanted at the refreshment bar of the House? He felt very strongly that this kind of legislation was wrong, and that it was a puritanical attempt to coerce men's natural feelings and tastes. It had been tried before, and the result was that the law had been, as such legislation always would be, evaded. He was not in favour of drunkenness, but he was in favour of liberty and justice. He had attended great meetings, composed of men of all ranks and creeds and politics, in Glasgow and Manchester, and these gatherings were unanimous in their determination to resist veto legislation. He would venture to offer a word

of advice to those who were dealing with such questions. So strong was the feeling in favour of liberty and justice in connection with drink questions that whoever wanted to have a good majority at the next General Election should carefully avoid flirting with the Alliance or coquetting with the Veto. The Government had already put their foot well into it as regarded their Veto Bill, and it did not matter now whether they went on with it or withdrew it. It was not by infringing liberty or outraging justice in the way that the Veto Bill did that drunkenness would be cured. The evil must be met in other directions. They might imitate the method adopted in the Colonies in granting licences in proportion to the population. They must also look to the assistance which could be rendered in the matter by the police. Let men found drunk in the streets be fined and imprisoned, and let the licences be taken from public-houses that manufactured drunkards. Other powerful influences also existed in the pulpit, the Press, and public opinion. These were the weapons on which they ought to rely as elements of reform, which had brought about great and good results in the past, for not one of their Lordships who went about the streets in our towns could fail to be aware of the enormous improvement which had taken place in regard to the decrease of drunkenness among the great mass of the population in this country. Two right rev. Prelates took entirely different views in this matter, and were now running different Bills for the Alliance Stakes; but he would beg them to remember that it was not by substituting for their croziers the baton of legislation that they could make men sober. Men were not to be made sober by Act of Parliament. Upon that point he would quote the opinion of an able lawyer and eloquent Member formerly of their Lordships' House—Lord Cairns—

"There was no question which at the present time more deeply touched the physical and religious welfare of the country as that of temperance. It occupied the attention of moralists, statesmen, and divines. It had been under investigation by Parliament, and statistics had been obtained of the poverty, suffering, and crime it was causing in this land."

And then Lord Cairns went on to say—

"I have little hope myself of making men sober and temperate by Act of Parliament, and

look rather to other causes and influences. I look to the power and force of persuasion, of conviction, of example. I look to the change in habits, feelings, and tastes which comes when there is brought to bear on the hearts of men the light and power of the Gospel of our Saviour. I look to the efforts for better training the rising generation, and especially to the young men of England, in whose hands the future of the country is placed."

He thanked their Lordships for their kind attention, and begged to move the rejection of the Bill.

Amendment moved, to leave out ("now") and add at the end of the Motion ("this day six months.")—(*The Earl of Wemyss.*)

\*THE DUKE OF WESTMINSTER felt that this subject interested Englishmen as well as Irishmen. When it came before a Committee of their Lordships' House evidence upon this drink question was given to show the great improvement that had followed the imposition of further restrictions with regard to the hours of closing. He differed *in toto cælo* from Lord Wemyss, who had given no proof whatever that legislation on this subject affecting Ireland had, as he alleged, signally failed. The question had been before the country many years, and the great mass of opinion in Ireland, as evidenced before the House of Commons Committee in 1888, was strongly and overwhelmingly in favour of making the Act of 1878 permanent instead of renewing it year after year. The greatest amount of drinking in this country, and in Ireland especially, took place on Saturday; and, as wages in Dublin and the other large towns were paid between 2 and 3 o'clock on that day, there was practically a half-holiday. The early closing proposed would still enable people to get what drink they wanted, and he considered it was sufficient to allow the public-houses to remain open until 9 o'clock that night, instead of until 11 o'clock as at present. The evidence given before the House of Lords Committee was conclusive as to the desire for closing at an earlier hour on Saturday. All the successive Secretaries for Ireland had been in favour of further restrictions and of Sunday Closing. He should have thought it better that the public-houses might be allowed to open for two hours on Sunday, and that was the opinion of Mr. Madden, the Chairman of the Com-

mittee; but upon the evidence the majority of the Committee were in favour of total closing on Sunday. No proof was given that shebeening had increased, but if shebeening did increase it would be necessary to take measures against that form of drinking. He regarded the Bill as a reasonable Bill, and he trusted that their Lordships would assent to the Second Reading.

LORD MONTEAGLE would not, after the very full treatment of the subject by the noble Duke and by the noble Earl on the Cross Benches, detain their Lordships with any discussion of the details of the Bill. Lord Wemyss had tried to persuade their Lordships there was really no public demand for this measure in Ireland.

THE EARL OF WEMYSS had not said that, but that resolutions had been passed in the four towns, Dublin, Cork, Limerick, and Waterford, objecting to be put under the Bill. That was all.

LORD MONTEAGLE accepted the correction, but had so understood the argument. His reason for supporting the Bill was that he believed there was an overwhelming demand for it in Ireland, perhaps not shared to so great an extent in the exempted large towns; but both in Limerick and Cork resolutions had been passed at public meetings in favour of the Bill. The noble Earl also said that the experiment had failed in Cardiff, and had appealed to Lord Aberdare's experience of its working in Wales. In Ireland the Act had been tried for over 10 years with success, and they were better able to judge in Ireland upon that point than people on this side of the Channel. He and others objected to the Act being kept in a state of suspended animation, and continued from year to year in the Expiring Laws Continuance Act. The opposition of Archbishop Walsh was entirely confined to the case of Dublin, and among the Roman Catholic Bishops there was an overwhelming majority in favour of the Bill. He appealed to their Lordships' House very earnestly not to listen to the arguments of the noble Earl, and thought that, the Bill being supported so largely from Ireland, it would be a great misfortune if the wish of the Irish people of all Parties were over-ridden by their Lordships.

*The Duke of Westminster*

THE FIRST LORD OF THE ADMIRALTY (EARL SPENCER): My Lords, I hope your Lordships will allow me to say a few words on this subject, both as representing the Government on the present occasion and the view which they take of the Bill, and also as having taken considerable interest in the measure when I was in Ireland. I rejoice that on one subject, at least, there is no Party difference in this House. When I had the honour of being in Ireland I received various deputations on the subject, and was constantly told of the great necessity for a measure of this sort, and the importance to all classes of having some limit placed on the trade in intoxicating liquor on Sunday. After the existing Act was passed by a Conservative Government, I had again a deputation before me urging that the measure had been of the greatest possible utility, and that, therefore, it should be made permanent. As far as I can gather, there has been practically no change in the evidence since that time. My noble Friends referred to the Report of the Committee which sat on the subject in another place in 1888. That Committee very nearly unanimously reported in favour of the continuance of this measure. Now, if your Lordships look at the statistics, you will find they are very remarkable. After the passing of the Act of 1878 there were 2,000 arrests for drunkenness, whereas before that time they amounted to 4,000; and other instances might be quoted of the marked effect of the Act in the diminution of drunkenness. Nor is there any evidence to show that shebeening has increased in the districts where the Act is in operation, or that any other serious drawbacks have occurred in the administration of it. I, therefore, still think as I did before, that it would be of great importance to continue the Act for the benefit of the Irish people. In my opinion it is a scandal that a matter of such great importance should be left to the chance of getting the Act included in the Expiring Laws Continuance Bill. There are provisions in the Bill as to which there may be difference of opinion. My own leaning would be in favour of the provisions contained in the Bill; at the same time, there are important considerations with regard to them. There are questions as to whether we should

enforce the application of the Bill to the towns which deliberately oppose it, or whether we should only apply it to those towns which are in favour of it. Those, however; I should say, are questions which should be left to Committee. Then comes our old friend the *bonâ fide* traveller question. My noble Friend on the Cross Benches thinks people cannot walk three miles without the necessity for refreshment. I think my noble Friend's powers of endurance, judging from what I remember of him in earlier years, are much larger than that; and I am sure he would still, under the proposals of the Bill, be able to take that exercise for which he was formerly so renowned. The question of the *bonâ fide* traveller, however, and also that of the hour of closing on Saturday night, are eminently questions for Committee. My noble Friend is in favour of not interfering at all in matters of this sort by legislation; but under the existing law we limit the hours during which public-houses are open, and it is a mere question of degree whether the principle of limitation ought to be still further extended. As far as Her Majesty's Government are concerned, they are anxious to see the Second Reading passed by your Lordships. I therefore sincerely trust the House will not follow the lead of my noble Friend on the Cross Benches, but will accept the proposals which my noble Friend opposite has brought before your Lordships.

THE EARL OF CRANBROOK: My Lords, after the speech which has been made by my noble Friend opposite, I hope the noble Lord (Earl Wemyss) will not think it necessary to go to a Division on the Second Reading. It is quite clear that throughout the whole of the legislation with regard to public-houses in these countries there is always the question of degree as to the amount of regulation to which they should be subjected. They are, of course, upon a different footing to ordinary trades, and the liquor trade has always been dealt with by local and other regulations in a different way to others. It appears that no one takes exception to the existing law in Ireland in reference to Sunday Closing everywhere except in the five large cities; and with reference to them my noble Friend, speaking for the Govern-

ment in Committee. It seems to me, therefore, that my noble Friend who has made this Motion has really obtained all he desires in the declaration by the Government that the points in which he is mainly interested are questions for Committee, and will be left open to him for discussion hereafter. I trust, therefore, the House will give a vote, in accordance with that declaration, for the Second Reading.

\*LORD ABERDARE would certainly not have risen to speak on this subject had he not been twice challenged by his noble Friend. He thought it might be useful if he stated his views of the success which had attended like legislation in the Principality. He had had a great deal to do with this kind of legislation, and in his opinion Parliament ought to proceed very carefully in the matter of restriction. He would be prepared at that moment to oppose any attempt to enforce absolute prohibition of Sunday drinking over the whole Kingdom. Yet when a Bill relating to Sunday Closing in Wales was introduced and passed through the House of Commons, he did not hesitate to take charge of that Bill in this House, because, in the first place, he wished to act in accordance with the feelings of his fellow-countrymen, and, secondly, because he wished to see an interesting experiment made. A Conservative paper of large circulation in Wales sent a very able man to make inquiry into the direct effect of this restrictive law in Wales. It came out that while the Act was acceptable to Welshmen generally, and had worked satisfactorily in the rural parts of the country, there certainly was a very great failure in the large and dense populations, especially where those populations had been brought together very recently. He referred more particularly to the Rhondda Valley, where there was now a population of 120,000, where he remembered a population of very few thousands. In the Rhondda Valley alone, every Sunday upwards of 60 brakes drove out to take people just about three miles from their place of residence, and Sunday was consequently desecrated in a very gross manner. In Cardiff the measures of repression were not effective, and the consequence was that there was an outburst of illicit drinking in the place.

These facts were clearly brought out, and he stated that unless some vigorous attempt was made to enforce the law he certainly would not vote for its continuance. What had happened at Cardiff made him doubtful of applying such a doctrine to Dublin. The object of all law, he imagined, was not merely to punish offenders, but to prevent the commission of offences. According to a return published in a Cardiff newspaper, there had been within two years about 400 convictions for keeping shebeens on Sundays. It was clear, therefore, that the law, although it had punished, had not succeeded in repressing illicit drinking; but he believed the Local Authorities were doing their utmost to put down this defiance of the law. Therefore, while he should certainly vote for the Bill, he was doubtful of applying such a law to a city like Dublin. He had at one time to inquire into the condition of crime there, and found that in 1874, when the population was about 360,000, Dublin contained more criminals of a grave character than the whole of the rest of Ireland. Its ordinary crime was more than double that of Birmingham, with about the same population. In the Act of 1872, which he had the honour of passing through Parliament, it was provided that the Local Authorities, in all towns except London, should have the power of closing public-houses at any time between 9 and 11 at night if, in their view, such a course was required. The experiment of closing at 10 p.m. was tried at Liverpool and several other large towns with much advantage and without the slightest manifestation of discontent. Unfortunately this opportunity of trying a useful experiment was repealed by the Licensing Act of 1874. Power as to the opening and closing of public-houses should, within certain limits, be given to the Local Authorities. They should have the right to make the experiment. He would be glad to see a clause embodying that principle contained in the Bill. Subject to those remarks he would support the Second Reading.

\*THE EARL OF MEATH said, that the speech of the noble Lord (the Earl of Wemyss) would have been an excellent speech if it had been delivered 15 years ago. But now they had an experience of 15 years, from which it appeared that in the whole of Ireland, with the exception of the five towns to which the Act did

not apply, Sunday Closing had been a very great success. Some time since a house-to-house canvass had been made for the purpose of finding out the opinion of the five exempted towns with regard to Sunday Closing. In Dublin there were 34,000 householders who said "Aye" and only 8,000 who said "No"—that was a majority of 26,000 in favour of this measure.

THE EARL OF WEMYSS: Out of a population of—

THE EARL OF MEATH did not think that was to the point. Then, in Belfast there were 23,900 "Ayes" and only 2,900 who said "No," or a majority of 21,000. In Cork there were 9,605 who said "Aye" and only 1,807 who said "No," or a majority of 7,000. In Limerick there were more than 5,600 "Ayes" and only 560 "Noes," or a majority of upwards of 5,000. In Waterford there were upwards of 3,000 "Ayes" and only 290 "Noes," giving a majority of more than 3,000. If that was not an emphatic expression of opinion on the part of the householders and ratepayers of those cities in favour of Sunday Closing he did not know what an expression of opinion was. The noble Lord had spoken a great deal about what members of the Alliance had said. But noble Lords who represented the vast majority of the people of Ireland, and who did not claim to represent the Alliance, asked the House to pass this Bill, which, as Irishmen, they believed would be for the benefit of their country. The noble Lord had told them that this legislation had been a failure in Wales and Scotland, but they had nothing to do with that in this connection regarding Ireland. The Union was for Imperial purposes, and they did not want to know what was happening in Glasgow and Cardiff on this subject. The noble Lord alluded to the subject of grocers' licences, and had passed it by somewhat cursorily; but the noble Lord must know that these licences were the greatest curse. Women went into grocers' shops and got behind a partition, where they were supplied with drink unobserved. He was very much pleased to hear that Her Majesty's Government were going to support this Bill, and that the Members of the late Government in their Lordships' House would also give it their support. The majority of the people of Ireland were in

favour of the principle of the Bill. There was no division, either political or religious, on the question. Protestants and Catholics, Home Rulers and Unionists alike, were united in favour of the Bill, and therefore all Parties in their Lordships' House could support it. Neither Party could afford to oppose the measure. The Unionists certainly could not do so, for they would by doing so be putting an argument into the mouths of their opponents, which later on it would be very difficult for them to refute.

THE EARL OF WEMYSS said, that after the intimation given by the noble Earl (Earl Spencer), that the Government regarded the provision making permanent the Act of 1878 as the main principle of the Bill, he begged to withdraw his Amendment, and leave the measure open to be dealt with in Committee upon the questions of four towns, Dublin, Cork, Limerick, and Waterford, being brought under the Bill, the 9 o'clock closing and the *bonâ fide* traveller. He would, therefore, not put the House to the trouble of dividing upon the Amendment.

Amendment (by leave of the House) withdrawn.

Original Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Thursday the 18th instant.

#### POST OFFICE (ACQUISITION OF SITES) BILL.—(No. 36.)

Returned from the Commons with the Amendments agreed to.

#### STATUTE LAW REVISION BILLS.

Message from the House of Commons to acquaint this House that they do concur in the Resolution communicated to them in the Message of Tuesday last—namely, That it is desirable that the Copyhold (Consolidation) Bill [H.L.] be referred to the Joint Committee of both Houses of Parliament on Statute Law Revision Bills.

#### RAILWAY RATES AND CHARGES PROVISIONAL ORDER BILLS.

Message from the Commons that they have come to the following Resolution—namely, that all Bills of the present Session to confirm Provisional Orders made by the Board of Trade under the "Railway and Canal Traffic Act, 1888," containing the classification of merchandise traffic, and the schedule of maximum rates, tolls, and charges applicable thereto, be referred

to a Joint Committee of Lords and Commons, and to desire their Lordships' concurrence thereto; the said Message to be taken into consideration on Monday next.

#### COPYHOLD (CONSOLIDATION) BILL [H.L.].—(No. 34.)

Referred to the Joint Committee on Statute Law Revision Bills of the present Session.

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (No. 1) BILL. (No. 70.)

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.

#### SUFFOLK COUNTY COUNCIL COMMITTEE (BORROWING POWERS) BILL.—(No. 60.)

Read 3<sup>a</sup> (according to Order), and passed.

#### VOLUNTARY CONVEYANCES BILL [H.L.] (No. 20.)

Read 3<sup>a</sup> (according to Order), and passed, and sent to the Commons.

#### POLICE DISABILITIES REMOVAL BILL.

Read 3<sup>a</sup> (according to Order), with the Amendments, and passed, and returned to the Commons.

House adjourned at half past Six o'clock, to Monday next, a quarter before Eleven o'clock.

#### HOUSE OF COMMONS,

Friday, 5th May 1893.

The House met at Two of the clock.

#### QUESTIONS.

#### NEW SOUTH WALES CURRENCY.

MR. WEBSTER (St. Pancras, E.): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has any information with regard to the alleged intended legislation by the New South Wales Government for the issue of inconvertible paper money in the shape of bank notes based on other

security than coin ; and whether the said notes are to have a forced circulation as legal tender for debts in the Colony ?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar) :** We have no information, except that which has been recently reported from time to time in the Press.

#### PENSIONS AND SUPERANNUATION ALLOWANCES.

**Mr. HENNIKER HEATON (Canterbury) :** I beg to ask the Secretary to the Treasury what is the total amount annually paid from public sources in the United Kingdom for pensions and superannuation allowances, distinguishing between payments by or on behalf of the various Departments of the Government and payments by Local Authorities, and the estimated number of persons so pensioned ?

**THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.) :** I have no information as to the amount paid for pensions by Local Authorities. As regards pensions paid from Public Funds, I may say that a Return ordered on a Return of the hon. Member for the Leigh Division of South-West Lancashire is now in preparation, which will give complete information on the subject.

#### SCOTCH RAILWAY RATES.

**Mr. JACKS (Stirlingshire) :** I beg to ask the President of the Board of Trade whether he is aware that, in spite of the Railway Companies' statement that they were revising their rates so that the increase should in no case exceed 5 per cent., the rates on potatoes from Cockburnspath to Dunbar, a distance of seven and a-half miles, has been raised from 1s. 8d. per ton to 2s. 11d. per ton, or 75 per cent. ; whether he is aware that the farmers in that district depend chiefly on their potatoes to pay their rent, and that this increase of rates equals 10s. per acre increase in their rents ; whether he is aware that the Railway Companies give preferential rates to foreign potato growers ; and whether, considering the disastrous results of these two factors, he can see his way to enforce a return to the old rates, and to prevent the Railway Companies giving any preference to foreign as against the Scottish grower ?

*Mr. Webster*

**THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) :** I am informed that the rate of 2s. 11d. per ton for the carriage of potatoes from Cockburnspath to Dunbar has been reduced to 2s. 6d. The company assure me that they do not give preferential rates to foreign potato growers.

#### THE BOARD OF TRADE AND THE RAILWAY COMPANIES.

**Mr. JACKS :** I beg to ask the President of the Board of Trade whether, having regard to his declaration a few weeks before Easter, that if the Railway Companies did not arrive at a satisfactory arrangement with the traders before Easter, he would take prompt and stringent measures against them, and to the disastrous effects upon trade of the present increases, he can see his way to bring in some measure or take some more effective step than the appointment of a Committee to prevent the charging of any increase over the old rate until the new Schedules have been arranged and approved of ?

**Mr. MUNDELLA :** I think it is better that the subject should be considered by the Committee of the House, and that any action which it may be hereafter necessary to take should be taken on their recommendation and Report.

#### SCHOOL SANITATION.

**Mr. ROUND (Essex, N.E., Harwich) :** I beg to ask the Vice President of the Committee of Council on Education whether, in the matter of lighting, warming, cleaning, ventilating, and office accommodation, the increased requirements of Schedule VII. are being insisted upon in schools where the arrangements in these respects have been hitherto passed by the Department ?

**THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham) :** I assume that reference is made to the Circular to Inspectors, which asks for information as to the condition of school buildings and apparatus. If the Department admitted that because school buildings were once approved by it they might, therefore, remain in the same condition for the rest of time, it would cut at the root of all progress in improving

the surroundings of the children so as to make them as healthy as possible. We do not admit this, and intend to bring the condition of our schools, in matters of lighting, ventilation, furniture, office accommodation, and the like, up to the standard of modern requirements within a reasonable limit of time.

#### FEVER IN THE LEWIS.

**MR. WEIR :** I beg to ask the Secretary for Scotland whether he is aware that the Medical Officer of Health for Ross and Cromarty failed to go to the fever-stricken township of Cromore, when on his recent professional visit to the Island of Lewis ; and whether steps will be taken forthwith to ascertain the condition of health and sanitary matters in that and other remote townships in the island ?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton) : In reply to the hon. Member I find that on his recent visit to the Lewis the Medical Officer of Health for Ross and Cromarty went as far as Keose intending to visit Cromore, but, learning from the District Medical Officer that the outbreak of fever had ceased, did not consider it necessary to proceed further. I may add that the District Medical Officer made regular visits and Reports, and that the County Sanitary Inspector also visited Cromore and reported to the District Committee, and I accordingly see no cause for any special inquiry.

#### THE CONDITION OF INDIA.

**MR. NAOROJI** (Finsbury, E.) : I beg to ask the Under Secretary of State for India whether, in order to enable this House to form a correct judgment of the progress, if any, in the condition of India, he will give to the House information about the condition of India in past years to compare with the present condition ; and whether for that purpose he will reconsider his decision, and lay before Parliament the Note of Sir David Barbour upon which Lord Cromer, as Finance Minister, based a statement, and also another similar one to date ?

**THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. GEORGE RUSSELL, North Beds.) : A Report on the Moral and Material Progress of India is annually given to Parliament ; and the Report, which is now in course of

preparation, will, according to custom, contain a review of the last 10 years. For the reasons given on the 27th April, the Secretary of State is unable to lay on the Table the confidential Note to which my hon. Friend refers.

**MR. NAOROJI :** I beg to ask the Under Secretary of State for India whether Lord Lytton's Note, being specifically referred to in the Despatch of the Government of India dated 2nd May, 1878, [C. 2376] of 1879, and being therefore necessary to be also returned, in order to understand fully the significance of paragraph 14 of the Despatch, the Secretary of State for India will reconsider his decision, obtain a copy from the Government of India, and lay it before Parliament ?

**MR. GEORGE RUSSELL :** In reply to my hon. Friend's question, which is really a repetition of that which he put to me on the 27th April, I am afraid I can add nothing to what I said on that occasion.

#### MOONLIGHTING IN COUNTY LIMERICK.

**MR. T. W. RUSSELL** (Tyrone, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that on 15th April a gang of moonlighters entered the house of a farmer named Quirke, near Barnagh, County Limerick, and beat him severely, and that they then went to the house of his son and shot him and his brother in the legs ; that on Sunday the 16th a gang of moonlighters fired into the house of Mrs. O'Brien, of Templeglantine, in the same county, the fire being returned by the inmates ; and that on Wednesday the 19th a gang of moonlighters visited the house of Dame Brenahan, at Knocktoosh, Drumcollogher, in the same county, fired into it, and then broke in, injuring Brenahan severely ; whether anyone has been made amenable for these offences ; and if he can state how many cases of moonlighting, agrarian and non-agrarian, have taken place in County Limerick from 22nd August 1892 to 30th April 1893, and how many took place in the corresponding period from 22nd August 1891 to 30th April 1892 ?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne) : The statements in the first paragraph of the question are, in the main, correct. The case of firing into the



dwelling of Mrs. Breen not O'Brien, occurred on April 15th. No person has been made amenable up to the present for these outrages; and though it is strongly suspected that some of the injured persons are in a position to identify their assailants, yet they refuse to give the police any assistance. The number of moonlighting outrages committed in Limerick between August 22, 1892, and April 30 is 17, of which nine were agrarian and eight non-agrarian. In the corresponding months of 1891-2 there was one case of moonlighting in the county. It was recorded agrarian. During the period August 22, 1890, to April 30, 1891, the number of such outrages was six, all non-agrarian.

\*MR. T. W. RUSSELL: Is it not a fact there have been 15 cases of outrage in the neighbourhood of Newcastle West during the last few months?

MR. J. MORLEY: There have been a number of cases.

\*MR. T. W. RUSSELL: In view of the recrudescence of outrage in the district, may I ask if the Government are taking adequate steps to cope with disorder and lawlessness?

MR. J. MORLEY: Yes; every step that can be taken is being taken to suppress disorder.

#### REFRIGERATED MEAT FOR THE TROOPS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War what are the regulations with regard to the supply of refrigerated meat to the troops at home stations; what proportion of the whole supply at any station during the year may consist of such meat; whether he can state the average cost per pound during last year of home-fed and refrigerated meat respectively; and what were the respective quantities of each supplied to the troops?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. WOODALL, Hanley): Refrigerated beef is accepted during the period from the 1st of October to the 31st of May for the troops at home stations; frozen mutton during the whole year. The quality must be the same as in the case of home-killed meat. During the period referred to, the refrigerated beef and frozen mutton together may amount to 60 per cent. of

the total issue. The average cost of refrigerated beef and home-killed meat respectively cannot be stated, as separate contracts are not made. The quantities of each are not known. Refrigerated meat is not issued at all stations; and where it is issued it must be within the limit already stated—namely, 60 per cent.

#### ROMAN CATHOLICS IN THE MEDITERRANEAN FLEET.

MR. HANBURY: I beg to ask the Secretary to the Admiralty whether the only Naval chaplain provided for Roman Catholics in the Mediterranean Fleet is a Maltese with a very limited knowledge of English; and whether it is intended to make more adequate provision in this respect?

THE CIVIL LORD OF THE ADMIRALTY (MR. E. ROBERTSON, Dundee): The Roman Catholic chaplain appointed to minister to the men of the Fleet at Malta is a Maltese, but there is no ground for the allegation that he has only a very limited knowledge of English. The Commander-in-Chief of the Mediterranean Station had personal communication with this gentleman prior to his appointment, and satisfied himself that, in respect of fluency and familiarity with the English language, he was sufficiently qualified for the post of Naval chaplain at Malta. It is not proposed to make any change in the appointment at present.

#### LORD TEMPLEMORE AND HIS TENANTS.

MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the tenants on Lord Templemore's estate have refused to pay their rents; whether the amount, less 25 per cent., has been lodged in the hands of trustees, and if there is any truth in the report in the newspapers that a contribution of 6d. in the pound has been levied on the Poor Law Valuations as a fighting fund; and if the police authorities have made any report concerning this revival of the Plan of Campaign?

MR. THOMAS HEALY (Wexford, N.): Arising out of the question, may I ask whether the right hon. Gentleman is aware that the tenants had more than

*Mr. J. Morley*

once denied that they had any intention of entering into the Plan of Campaign ?

**MR. J. MORLEY :** I cannot answer the question of the hon. Member opposite, because there appears to be foundation for the statements contained in the hon. Member's question. The police have made full reports regarding the operations on this estate—whatever is the proper name to give those operations—and I will keep the matter under close observation.

#### THE SHOOTING OF P. BARRY AT MALTA.

**MR. MAURICE HEALY (Cork) :** I beg to ask the Secretary to the Admiralty, with reference to the answer given by his Predecessor in Office on the 31st May last, respecting the case of P. Barry, leading stoker of H.M.S. *Hibernia*, who was shot dead by a Maltese at Malta on the 4th February 1892, whether anyone was made amenable in connection with this crime; and whether any provision will be made for the widow and orphans of the deceased ?

**MR. E. ROBERTSON :** Since the reply referred to was given by the right hon. Member for the Ormskirk Division of Lancashire, the following Report has been received through our Commander-in-Chief in the Mediterranean :—

"I am directed to state for the information of Sir George Tryon that the Crown Advocate has reported that no evidence in the matter sufficient to support an indictment was produced at the magisterial inquiry ; that, therefore, no steps could be taken to initiate any prosecution of the individual concerned."

As Barry was on leave at the time of his death, our Regulations do not admit of any provision being made for his widow and children.

#### THE IRISH FISHERIES.

**MR. FLYNN (Cork, N.E.) :** In the absence of the hon. Member for South-East Cork, I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if the Report of the Inspectors of Irish Fisheries on the inquiries recently held respecting the mackerel and herring fisheries off the south coast of Ireland has been made and forwarded to the Lord Lieutenant; and, if so, will the Local Authorities at Kinsale be supplied with copies of such Report ?

**MR. J. MORLEY :** The Report of the Inspectors of Fisheries respecting the herring and mackerel fisheries at Kinsale has been presented to the Lord Lieutenant. The recommendations contained in the Report are under consideration ; but, inasmuch as the carrying out of these recommendations would involve legislation, and as the points at issue have reference to the early season, which has almost passed over, no object would, I am advised, be gained by communicating the Report to the Local Authorities.

#### DISTURBANCES IN DOMINICA.

**SIR THOMAS ESMONDE (Kerry, W.) :** I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State for the Colonies has received from Dominica a letter, dated 17th April, 1893, signed by Messrs. Davies, Pemberton, Bellot, and others, giving a detailed statement of the occurrences at that island when the peasantry were fired upon by a force of police from Antigua and seamen from H.M.S. *Mohawk*, in the presence of the Governor, Sir W. H. Smith, and four men killed and two women wounded; and whether steps will be taken to make a full and independent inquiry into the circumstances, and also into the present system of administration in the West Indies ?

**MR. BUXTON :** The Secretary of State has received a letter from the person named, and also a full Report from the Governor of the Colony respecting the lamentable occurrence in Dominica referred to in the question. The full Despatches have only just been received, and there has not been time to examine them sufficiently to enable a decision to be come to on the question of whether a further inquiry is necessary; but the matter will certainly receive the most anxious consideration.

#### BOARD OF AGRICULTURE PUBLICATIONS.

**MR. LUTTRELL (Devon, Tavistock) :** I beg to ask the President of the Board of Agriculture whether it is the case that farmers' clubs, agricultural societies, and other similar bodies can now be supplied with the publications of the Board at cheap rates for gratuitous distribution to their members ?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. H. GARDNER, Essex, Saffron Walden): I am glad to say that the Treasury have authorised the Board of Agriculture to supply Chambers of Agriculture, Agricultural Societies, Farmers' Clubs, Village Institutes, and other similar bodies, with certain of our Departmental Publications at half price, provided that not less than 20 copies are taken, and that they are intended for gratuitous distribution to members. I propose to issue a Circular Letter to the institutions concerned in the course of a few days, and I hope that the arrangement will result in a much wider dissemination than at present of the publications in question.

#### THE SHIP ROCKET APPARATUS.

**MR. LUTTRELL**: I beg to ask the President of the Board of Trade whether the directions on the ship rocket apparatus are only in English and French; and, if this be the case, whether he will provide for the inclusion of directions in German and Spanish?

**MR. MUNDELLA**: The directions are only in English and French. The question of adding directions in other languages has been considered, and experimental tally boards have been made; but the Board of Trade were advised that the necessary addition to the size of the tally board would more than counterbalance the advantage, as the board has to be hauled through the sea and has to meet with all kinds of obstructions from rocks, wreckage, &c. Germans and Spaniards are not the only foreign seamen besides French wrecked upon the coast of Great Britain.

#### SCOTCH PRISONS.

**MR. WILLIAM WHITE LA W** (Perth): I beg to ask the Secretary for Scotland whether, in view of the information supplied by the Fourteenth Report of the Scotch Prison Commissioners in regard to over-crowding in Scotch prisons, he will grant a Return showing the number of prisoners in the 11 largest Scotch prisons for each week, from 1st April, 1891, to 31st March, 1893?

**SIR G. TREVELYAN**: If the hon. Member will put his question to me again on an early day next week I shall be in a position to answer him.

#### CHAPEL TRUST DEEDS.

**MR. STANLEY LEIGHTON** (Shropshire, Oswestry): I beg to ask the Secretary of State for the Home Department whether there are a number of places of public religious worship, certified as such and exempted by statute from liability to rates, the trust deeds of which are not enrolled in Chancery; and whether there are any means whereby such trust deeds may be inspected by the public or by members of the congregation using such places of worship; and, if not, whether the Government will take into their consideration the expediency of providing the public with an opportunity of inspecting such trust deeds at reasonable hours?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. ASQUITH, Fife, E.): By Section 7 of the Mortmain and Charitable Uses Act, 1888, enrolment is not necessary, but optional with the trustees, in the case of assurances of land for religious purposes of the class there described. No doubt a considerable number of places of worship come within this exemption. How many it is impossible to say. I am not aware of any means by which the inspection of deeds not enrolled can be compelled, nor does it appear to me to be either practicable or expedient that such inspection shall be made compulsory.

#### THE NATIONAL EDUCATION ASSOCIATION.

**VISCOUNT CRANBORNE** (Rochester): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to a Circular issued by the National Education Association, urging parents to demand free education, and stating that parents whose children are paying no fee in their present standard may demand a free school if fees are charged in the higher standards; the school must be free from top to bottom, or the Department will not recognise it as a free school; whether, under the Act of 1891, parents are entitled to anything more than free education for their own children; and whether, as a matter of fact, it is the practice of the Department upon a single such demand to insist upon the provision of a school "free from top to bottom"?

**MR. ACLAND:** My attention has not been called to this Circular till now. I am afraid the noble Lord has misunderstood the meaning of the words "from top to bottom." You can have a school free from top to bottom for a single child, and that is evidently what is meant. It is most necessary to insist on this, for the Department have actually had cases before them in which managers have practically said to a parent—"There are free places in this school, but only in the first standard. The child can have free education, but as long as you do not pay fees the child shall stay in the first standard." This is a mere evasion of the Act, hence the need for insisting on freedom from top to bottom.

#### ✱ THE HULL STRIKE.

**MR. DARLING (Deptford):** In the absence of the hon. Baronet the Member for South Bristol, I beg to ask the Secretary of State for the Home Department whether he has seen the official Report of Superintendent Elliott, Chief of the Hull Police Fire Brigade, respecting the recent fire at the Citadel Estate in that city; and, if so, whether he will communicate to the House the purport of the information therein contained; and whether he is aware that a man has recently died in the workhouse at Duffield in consequence of alleged ill-treatment at the hands of the pickets in Hull?

**MR. ASQUITH:** I have seen Superintendent Elliott's Report in the newspapers, but it is a Report made to the Corporation, and I have no official knowledge of it, nor do I see any reason why it should be communicated. I have no knowledge as to the allegations in the second paragraph, but I have sent to the Chief Constable asking for information.

#### THE COMMITTEE ON RAILWAY RATES.

**MR. WARNER (Somerset, N.):** I beg to ask the President of the Board of Trade whether he has ascertained that the Railway Directors, being paid servants of the companies, are eligible to serve on the Committee on Railway Rates?

**MR. MUNDELLA:** I am not aware of any reason why Railway Directors should not serve on the Committee in question. The Committee is not appointed to fix rates.

#### THE HOME RULE BILL.

**MR. JACKSON (Leeds, N.):** I beg to ask the First Lord of the Treasury whether, in view of the great importance of the subject, he will have the Resolutions to be moved in the Government of Ireland [Payments] Committee printed and circulated at once?

**THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian):** I agree that the House ought to have full notice of our intentions in the Parliamentary Committee with regard to the Financial Clauses of the Bill, the principles of which have been clearly announced, but the details of which are still a matter for consideration. I take this opportunity of giving notice that it is our intention, when we come to the Financial Clauses of the Bill, to move that they be postponed until the other clauses of the Bill have been dealt with. I will give the reasons for the proposal when we come to it. We will take care that full information is in possession of the House before any proposals are submitted.

**\*MR. JACKSON:** Will the Monetary Committee on the Government of Ireland Bill be taken before going into Committee on the Bill?

**MR. W. E. GLADSTONE:** Oh, no; certainly not. I think that the Financial Clauses ought not to be dealt with before going into Committee.

**MR. A. J. BALFOUR (Manchester, E.):** I am aware that that proceeding is strictly in Order, but it is very unusual to defer the Monetary Committee until particular clauses are dealt with; and I would ask whether it is not the more usual course to take the Monetary Committee before the main Bill goes into Committee at all?

**MR. W. E. GLADSTONE:** It very often happens that Monetary Clauses are found in a Bill, the great mass of which refer to matter which is not monetary, and the usual practice is to have the Parliamentary Committee before the Definitive Clauses are brought under consideration, and we shall take care that that is done. It is a question connected with the Forms of the House, and I am not yet aware, but I will inform myself, how far the Parliamentary Committee will carry us towards fixing all the details, and we will take care that

the House is in no way misled or inconvenienced.

MR. J. CHAMBERLAIN (Birmingham, W.): We did not quite catch in this part of the House the effect of the announcement which the right hon. Gentleman has just made. Do I understand him to say that the Government contemplate changes in the Financial Clauses of the Bill?

MR. W. E. GLADSTONE: No; I have nothing new to announce on that at present. It will be borne in mind that when the Bill was discussed on Second Reading, I did state, with regard to that portion of the Financial Clauses which is prospective and pre-supposes augmentation in the direct taxation of this country, it would be necessary to enter into further details, and to give a more specific explanation of our intention.

MR. J. CHAMBERLAIN: May I understand, with regard to the clauses on the Paper, that the Government adhere to them, or is it only with regard to additional clauses which have been promised by my right hon. Friend that he reserves his discretion?

MR. W. E. GLADSTONE: I doubt very much whether the knowledge of the House will be much advanced by that mode of treating the subject. It will be recollected that there is now a provision in the Bill which refers to a possible future increase in the Excise Duties, and I said that provision was to be regarded rather as the assertion of a principle—namely, the liability of Ireland for additional charges which may hereafter come into view—than as expressing the precise form in which we might find it expedient to bring it finally to the judgment of the House.

MR. J. CHAMBERLAIN: I do not wish unduly to press my right hon. Friend; but may I ask whether I am entitled to understand that, so far as regards the revision of the Customs Duties, the Government adhere to their original proposal?

MR. W. E. GLADSTONE: Undoubtedly. We have not seen any reason, as at present, to depart from that intention; but my right hon. Friend will recollect that, in explaining that portion of the Bill, I dwelt strongly upon the principle of contribution, and pointed out that there were various forms in which that principle might be applied,

such as the quota and the fund plans; but that, on the whole, we were inclined to the fund plan. At the same time, I never treated the question of the particular form as one which appertains to the essence of the subject.

MR. SEXTON (Kerry, N.): I assume that every financial question raised in the Bill remains open for consideration in Committee.

MR. W. E. GLADSTONE: Unquestionably.

MR. SEXTON: May I ask the right hon. Gentleman whether the intention he has announced will apply to all the financial proposals in the Bill, including those affecting the Irish Church Fund and the collection of Treasury loans outstanding?

MR. W. E. GLADSTONE: My impression is that they all hang together. It might be a question whether the Church Fund, which is a separate matter, is involved with the rest; but I think probably it will be found convenient if the whole of the financial proposals, including that dealing with the Church Fund, should be postponed.

MR. DARLING: May I ask the right hon. Gentleman whether the Government will postpone not only the Financial Clauses, but the whole Bill, until they have made up their minds what they will do with the Financial Clauses?

[No answer was given.]

MR. A. J. BALFOUR: Will the right hon. Gentleman say whether he proposes to take the Committee on the Bill on Monday, and to continue it *de die in diem*?

MR. W. E. GLADSTONE: That is the intention. Of course, I cannot pledge myself very far into the future; but the whole of next week, and probably the beginning of the following week, will be devoted to the Bill.

MR. A. J. BALFOUR: Mr. Speaker, I think it would be a great convenience to the House if, as the Committee stage of the Bill is to be taken on Monday, you would inform the House of your views as to the various Instructions that have been placed upon the Paper. The subject, as everybody knows, is of very great difficulty, and one on which your ruling would, I think,

be of great service to those Members of the House who are interested in the Instructions.

\*MR. SPEAKER: As the right hon. Gentleman has asked me to give my opinion as to the Instructions on the Government of Ireland Bill, I hope the House will bear with me for a few moments while I explain the decision which I have come to on the 13 Instructions on the Paper. I have felt great responsibility in this case, especially as I have come to the conclusion, for reasons I will explain shortly, that the great majority of them are not in Order. I should like to say that the principles which guide and limit the system of Instructions on going into Committee may be thus stated:—First, an Instruction must empower the Committee to do something which the Committee is not otherwise empowered to do; secondly, the purpose of the Instruction must be supplementary and ancillary to the purpose of the Bill, and must fall within the general scope and framework of the Bill; thirdly, it is irregular to introduce into the Bill by an Instruction to the Committee a subject which should properly form the substance of a distinct measure, having regard to usage and the general practice of enacting distinct Statutes for distinct branches of law. Having these general principles and limitations in view, I come to consider the 13 Instructions on the Paper, and, if the House will follow me, I will go through them *seriatim*. The first Instruction (that of the hon. Member for Wandsworth), I think, would properly form the subject of a separate measure so far as relates to the representation of Great Britain, and as regards that of Ireland no Instruction is necessary. The second (that of the hon. Member for the Partick Division of Lanark) deals with the *ad referendum* principle, and this I need not say is the Instruction which has given me the most anxiety; but I have come to the conclusion that an *ad referendum* is a matter of such transcendent importance that it could not be brought within the scope of the Bill by an Instruction to the Committee. I know that the *ad referendum* has been included in the provisions of some Private Bills, enabling the

ratepayers to decide by a vote whether or not they should adopt a particular Act which imposed a charge upon them. But this Instruction is a proposal to enable the electors to override the decision of this House, to go over the heads of the elected Representatives of the people, and to submit to the electors generally whether a Bill of this great magnitude should come into force or not. That, I think, is quite beyond the scope of the Bill, and could not be brought within the scope of the Bill by an Instruction. The object sought to be obtained in No. 3 (the Instruction of the hon. Member for North Hackney) may, I think, be done in Committee without the necessity of an Instruction. Nos. 4 and 5 (standing in the name of the hon. Member for Oxford), which deal with the Army and Militia, are, I think, beyond the scope of the Bill. The Militia is a part of the Military Force, and, like the Army, is under the control of the Military Authorities; and it seems to me that it would be an improper dictation to the Executive and to the authorities of the Army to interfere with the movement of troops from one portion of the Kingdom to another. That cannot be properly considered as ancillary to the Bill. It is beyond the scope of the Bill, and cannot be brought within its scope by means of an Instruction. No. 6 (that in the name of the hon. Member for the Whitby Division of Yorkshire) is a modified *ad referendum*. I have alluded generally to the *ad referendum*, and I may say that in speaking of it, while I do hold that a Bill such as this cannot be overridden by an appeal to the electors, I am far from saying that in particular localities the *ad referendum* principle cannot be adopted; and in the case of No. 6 the House will observe that what is there proposed is that Ulster may be empowered to exclude itself from the Bill. Ulster, of course, might be excepted from the Bill, as any other portion of the United Kingdom may be excepted from a Bill of general application; but this may always be done without an Instruction. This local *referendum*, it will be seen, is a very different thing from saying that the whole Bill can be overridden by an appeal to the electors over the heads of the Representatives of the electors in this House. The alteration suggested in No. 7 (the In-

on of the hon. Member for Bolton) proposed in Committee without an action. No. 8 (that of the hon. Gentleman the Member for the Kingston Division of Surrey) is so indefinite that I hold that it is in Order; but, so far as I understand it, its object can be done in Committee without an Instruction.

No. 9 (that of the hon. Member for Tyrone) is a Land Bill of the scope. It forms a distinct subject for legislation. Following the principles I have ventured to lay down to the House, it cannot, I think, be brought within the scope of the framework of the Bill before the House. No. 10 (that of the hon. Member for Great Grimsby) falls within the same category.

Reform Bill for the United Kingdom.

No. 11 (that of the hon. Member for Wynn Regis), which proposes to divide the Bill into two parts, is, according to all precedents, distinctly in Order. Coming to No. 12 (that of the right hon. Member for the Bordesley Division of Birmingham), I have already said that no part or any definite portion of Ireland is excluded, or be empowered to be excluded, from the operation of the Bill. The Amendments proposed in Committee without an Instruction. No. 13 (that of the noble Lord the Member for Westbury) can also be carried into effect by the Bill without an Instruction. To summarise what I have said, therefore, of the House, part of No. 1, No. 2, 3 and 10 would require separate Instructions. Nos. 3, 7, 12, and 13 can be dealt with in Committee. Nos. 4 and 5 are outside the scope of the Bill, No. 8 is sufficiently definite, and No. 11 is in order. The House, I hope, will see that we have tried to deal with each case on its separate merits, and without having any preconceived opinion on the subject.

#### THE IMPERIAL INSTITUTE.

T. LEA (Londonderry, S.): I ask the Prime Minister whether, in view of the State function proposed to be held next Wednesday, it is intended that the House should sit on that day.

W. E. GLADSTONE: We have formed any intention of making any alteration to the House.

*Mr. Speaker*

## ORDERS OF THE DAY.

### EMPLOYERS' LIABILITY BILL.

(No. 118.)

#### ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [25th April], "That the Bill be committed to the Standing Committee on Law, &c."—(*Mr. Secretary Asquith.*)

Question again proposed.

Debate resumed.

\*SIR F. S. POWELL (Wigan) said, that when on a previous night he desired to say a few words on this subject, he was interrupted by the right hon. Gentleman the Home Secretary, in a manner of which, as a Member of the House of much longer standing than the right hon. Gentleman, he thought, if he desired to be critical, he might well complain. But he would not introduce controversial matter calculated to prolong the discussion. He was desirous that the Bill, in an amended form, should pass this Session. He objected to discussing this Bill before a Standing Committee. His experience of Standing Committees and also of Committees of the whole House convinced him that, although a Standing Committee might be fitting for the discussion of the details or of the points of law, it was not the proper tribunal for dealing with the broad principles that were involved in this Bill. He felt he was entitled to refer to the elementary character of the Second Reading Debate, which had extended over several evenings, and in the course of which 17 Members had spoken.

MR. SPEAKER: Order, order! The Question before the House is as to what Committee the Bill shall be referred to.

SIR F. S. POWELL: I was going to argue that point, Sir. I want this Bill to pass, but I think I have a duty to my constituents to point out what has occurred in these Debates.

\*MR. SPEAKER: Order, order! The question of how many speeches were delivered on the Second Reading cannot be discussed on a Resolution for referring a Bill to the Grand Committee.

SIR F. S. POWELL said, he would entirely accept the ruling of the Chair,

although he had a strong desire to explain his reasons for the complaint that the Second Reading Debate was a very disjointed one. Hon. Members felt that they had not had the opportunity they were entitled to enjoy of rebutting the accusation which had been made against employers of labour. They desired to do so before the full House, and not before a Standing Committee. Another reason why the Bill should be referred to a Committee of the full House was that the 3rd clause, as it now stood, was of a somewhat nebulous character. A clause of such great importance ought to be debated before a Committee of the whole House, instead of being discussed in the imperfect manner and under the difficult circumstances which attended consideration by a Standing Committee. The 5th clause also dealt with a matter of a very large character in reference to compensation, and was certainly worthy of being considered by the whole House.

MR. PARKER SMITH (Lanark, Partick) moved, as an Amendment, that the Bill should be referred to a Select Committee, instead of to the Standing Committee on Law. He said he did not think that in making this proposition he was doing anything hostile to the progress of the Bill. There was, he believed, a universal desire that the measure should pass; but, at the same time, a strong feeling existed that the proposals of the Government were inadequate. There was also a considerable divergence of opinion amongst various sections of the community as to the matters of principle involved in the Bill, and it was evident that there must be a very long and animated discussion upon those points. He did not think that Members who were not Members of the Standing Committee would be satisfied to leave those questions of principle to the consideration of the Committee. It must also be borne in mind that the Standing Committee would sit concurrently with the Committee of the House on the Government of Ireland Bill. The consideration of the Government of Ireland Bill in Committee would be a very great strain upon those who took an active part in it, and a great many of those who were especially interested in the Government of Ireland Bill would be unable to attend at the Sittings of the Standing

Committee. Under these circumstances, he thought that it would be much more advantageous to send the Bill to a Select Committee than to refer it to the Standing Committee. One advantage of referring the measure to a Select Committee would be that it would be possible to hear evidence which might throw a most valuable light upon the proposal of the Government, and might greatly increase the usefulness and success of the Bill. The obvious objection to a Select Committee was that it did not avoid the Committee stage in the House; but it seemed to him that the measure was eminently one for compromises and arrangements which could be carried out infinitely better in a Select Committee than in the House itself or in a Standing Committee.

Amendment proposed, to leave out the words "the Standing Committee on Law, &c.," and insert the words "a Select Committee."—(*Mr. Parker Smith.*)

Question proposed, "That the words 'the Standing Committee on' stand part of the Question."

MR. J. CHAMBERLAIN (Birmingham, W.): I wish, in the first place, to recognise the kindness and promptness with which the First Lord of the Treasury met my appeal yesterday, and acceded to the advice of many Members to say a few words on this measure, and I hope I shall not abuse his kindness. I feel that in this matter we are entirely in the hands of the Government. They are the masters, and, if I may be allowed to do so, I would advise my hon. Friend not to trouble the House with a Division on the Amendment if it be not accepted. I wish, however, to put before the Home Secretary (Mr. Asquith) the reasons why I believe it will be to the interests of the Government and, above all, to the interests of this Bill, that he should reconsider his decision to send the Bill to a Grand Committee. May I, in one sentence, protest against the charges which have been made in the organ of the Government against my hon. Friends and myself on account of our action on the Bill. It was said that I brought forward a sham Amendment. I am quite sure that my right hon. Friend the Home Secretary will not concur in that view. The Amendment gave rise to a most serious



and instructive Debate, and, though it was not carried to a Division, it was only because, had it been carried, the Bill would have been destroyed. I intend, however, to raise the question later on, when it can be decided without danger to the Bill itself. As regards my hon. Friends who were accused of obstruction on Tuesday, of course it is difficult to convince those who believe that every Liberal Unionist has a double dose of original sin; but that was not their intention. We believe that this is a non-Party question. We believe that the Government have a great opportunity of settling a very vexed and difficult question to the great advantage of all classes concerned; and if they will take the opportunity we offer them our most cordial and hearty assistance in the task. I do not blame the Government for bringing in the Bill in its present form, because it would naturally appear to them to be the simplest and most practical way of dealing with the question to embody in a measure the proposals of an important body of Trade Unionists. The Government might well have thought that that was as far as public opinion would allow them to go. But the Debate has shown that on both sides of the House there was an inclination to go further; that public opinion has greatly developed; and that there is an inclination once for all to find a settlement for this question. There can be no doubt that there are two great defects in the Bill. The first is that it only deals with less than one-half of the accidents for which we want it to provide. It is necessarily, therefore, an incomplete measure. In the second place, it has the serious and fatal defect of interfering with the present system of arrangements between employers and employed by which workmen are secured against all kinds of accidents. The right hon. Gentleman the Home Secretary has said that he has no desire to interfere in any way with these most advantageous arrangements, although he refused to receive a deputation representing some 12,000 miners on the subject. I would say, without intending to be unduly critical, that I never knew a Government which had such a horror of deputations. My right hon. Friend was, I believe, in favour of the view taken by that deputation, because he has expressed himself in writing, and also in

the House, to the effect that the Government do not desire to prevent or in any way discourage these arrangements. It must, however, have been proved to my right hon. Friend beyond dispute that if the Bill is carried in its present condition it will probably destroy these arrangements. [Mr. ASQUITH dissented.] I know more about it, if I may say so, than my right hon. Friend does. I know the question from a commercial point of view; I have conversed both with the employers who make these arrangements and the workmen who accept them, and I say there is a feeling of great alarm that this Bill will prevent arrangements of the kind being entered into in the future. It stands to reason that the object of the employers in making large contributions to funds of the kind is to prevent litigation and quarrels with their workmen. Is it likely that they will continue to make contributions if, under the provisions of this Bill, they are to continue liable to be involved in litigation? These are the two important points on which I say it has been proved, in the course of the Debate, that the Bill is defective. There has been evidence on all sides of the House of a desire to carry the measure much further than it goes at present, and to apply its provisions to all classes of accidents. That would, of course, entail practical transformation of the Bill, and I submit to my right hon. Friend that it is impossible, even with the greatest good-will on the part of everybody, to carry out such a transformation in a Grand Committee. Such a Committee, in the first place, is too numerous; and, in the second place, it cannot do that which is essential to a proper arrangement—take some evidence. In order that a proper scheme should be formulated, it is desirable that any Committee before which the Bill is sent should hear the evidence of at least one Representative of each of the great trades, and so obtain the views of the employers in the shipbuilding, the railway, and the mining interests on the subject, while the workmen's interests should be put forward by a representative of the Trades Unions. I believe that would be enough, and that a small Committee would be able to come to a more satisfactory conclusion in respect of this question than a large

*Mr. J. Chamberlain*

Committee could. Such a Committee would be able to act as a council of advice to my right hon. Friend, and enable him to produce a Bill which would meet with the general assent of the House. In the event of my right hon. Friend accepting this proposal, I entertain no doubt that the right hon. Gentleman the Leader of the Opposition would join me in giving an assurance that every assistance would be given to enable the Government to carry the Bill through its future stages, with only such reasonable discussion of its provisions as my right hon. Friend himself would not object to. My view is that my right hon. Friend, by accepting this proposal, would save time, would make the Bill a better one, and would connect his own name and the name of his Government with a really useful and valuable measure. It may be that my right hon. Friend is not touched by my arguments. He may say that he does not believe he will save time, or that he is not prepared to accept any considerable changes. In that case, my second point is that the Bill ought to go to a Committee of the Whole House. On this point I would refer my right hon. Friend to the speeches made by the Prime Minister when these Grand Committees were first constituted; and he will find that the right hon. Gentleman contemplated a reference to them of special Bills, which interested only a portion of the House; and of course he meant, comparatively speaking, not a very large portion of the House, for when it was proposed by the other side to add agriculture to the subjects that were to be dealt with by the Grand Committee the right hon. Gentleman at once objected. He said that agriculture was such an extensive subject, and interested so many hon. Members of the House, that it was not a fit subject to be sent before a Grand Committee. Well, this Bill has reference to a subject that interests almost everybody in the House. It interests every hon. Member who employs a servant, or has a constituent who employs a servant. It applies to all who are interested in agriculture, and all who are interested in manufactures, and all who are interested in commerce. I do not believe a single person can say that his interests are not affected more or less by this Bill. Under these circumstances, it is not

fair to take it to a Grand Committee, and it is not for such purposes that Grand Committees were appointed. If my right hon. Friend still insists that it must go there I warn him that he will not save time. This is not only not a proper Bill, but this is not a proper Session for a Grand Committee. We have such a collection of Bills of very vast importance before the House as the House has probably never known in its history, and consequently every Member interested in them is simply bound to give daily and constant attention. It is, therefore, simply impossible and unfair to call on us to take part in complicated discussions in Grand Committees; and, for myself, I can say it will be absolutely impossible for me to serve. If that course is adopted, the inevitable result will be that we shall have to reserve the whole discussion for the Report stage, and thereby one of the great objects of the Grand Committee will be lost. The right hon. Gentleman will find that he has not advanced his object in the slightest degree. Now, I said when I began that this is not in any sense a Party measure. If I regarded it from a Party point of view and considered only Party interests, I should wish that it would pass as at present framed. There has been an agitation got up in its favour, which is always the case with a new proposal; but I can tell the right hon. Gentleman, from my knowledge of what is going on, that if the measure passes it will be unpopular with a large number of those who are now the supporters of the Government. I do not believe it is necessary to treat it as a Party measure. It is the general desire that some Bill shall be passed which will prove a permanent settlement, and I do not hesitate to say that if the right hon. Gentleman could see his way to accept the suggestion I have made to him, there is not the least doubt that such a Bill would be passed during the present Session.

°MR. CRAWFORD (Lanark, N.E.) sincerely hoped that the Government would adhere to their own proposal, and not allow their plans to be upset by the appeal made to them. In the first place, he would remind the House that when this subject was dealt with by the late Government in 1888 they referred the Bill—the Employers' Liability Bill—to the Grand Committee on Law,

although they now stigmatised that Committee as an unsuitable place for the consideration of such a measure, and notwithstanding that the Debate on the Second Reading had been shorter than it had been on the present Bill. Many hon. Members would corroborate what he said when he stated that the discussion of the Bill in the Grand Committee in 1888 was thoroughly satisfactory, much more so than it would have been either in Select Committee or Committee of the Whole House. What was the alternative that the right hon. Gentleman the Member for West Birmingham proposed? He did not say that if his proposal were accepted he would help them to pass the Bill through. He said the Bill was a bad one, and would become an unpopular one, and he suggested as an alternative for it a scheme of industrial assurance which had little or no connection with the Bill, and with regard to which, for his part, as at present advised, if incorporated in the measure when it came up for Third Reading, he should vote against it. The proposal of the right hon. Gentleman the Member for West Birmingham had been thoroughly considered by the House, and the House had given a decision against it, and if it were brought forward again it would only be as an engine of obstruction. He trusted that the right hon. Gentleman in charge of the Bill would pursue the same course in regard to it as that adopted by the late Government.

MR. LAWRENCE (Liverpool, Abercromby) said, he did not in the least desire to introduce Party considerations into the Debate. He thought the House was determined to carry the Bill to a successful issue; but he wished to support the hon. Member for the Partick Division of Glasgow (Mr. Parker Smith) in his desire to have it referred to a Select Committee, so that the case of employment at sea should be thoroughly thrashed out. The Home Secretary had introduced a most important principle into the Bill, of including seamen in the same way as those who were employed on land, and he thought it was only appropriate that this matter should be fully considered in a Select Committee. He thought they ought to be clear on the facts before they proceeded to legislate. Employment at sea was of a very special

character, and what they wanted to know before the Bill went into Committee was the extent and nature of negligence which the Home Secretary intended to include in his Bill, and what were the acts he intended to exclude. Before the Select Committee in 1886, the hon. Member for Middlesbrough stated that all his wants were expressed in the formula which he laid before the Committee; but the Home Secretary had introduced a formula of liability which was probably about as imperfect as any Home Secretary ever introduced.

\*MR. SPEAKER: The hon. Member is not now discussing the tribunal before which the Bill should be sent, which is the Question before the House.

MR. LAWRENCE, said he was showing the difference between the formula of liability of the hon. Member for Middlesbrough (Mr. J. Havelock Wilson) and that of the Home Secretary. They wanted a clearer definition of the claims of accident for which owners were to be rendered liable before they went into Committee on this Bill, and the only way to find out the facts was to send the Bill to a Select Committee. There seemed to be such a hopeless disparity—

MR. SPEAKER: That has nothing to do with the question.

MR. LAWRENCE: I was endeavouring to show why the Bill should go before a Select Committee, and not to the Standing Committee. [*Cries of "Order, order!"*]

MR. A. J. BALFOUR: I cannot agree that the course now recommended to the Government is inconsistent with that pursued by the late Government on the Bill which they introduced. The Bill of the late Government was actually framed on the recommendations of a Select Committee. The peculiarity of the present Bill is that, not only is it not based on the recommendations of a Select Committee, but it directly traverses the recommendations of the Select Committee, which dealt with the question of employers' liability to seamen. Therefore, there is perfect harmony between the course which the late Government pursued and that which is now recommended. I rise to make only this further observation. It would be perfectly impossible for Members of the Opposition to attend both Grand Committee and

Committee on the Government of Ireland Bill. I am, therefore, obliged to advise any hon. Friends—so far as they will take my advice—to devote their attention to the more important subject, the Government of Ireland Bill, and to leave the Grand Committee on the Employers' Liability Bill—concentrating their attention on the latter measure when it reaches the Report stage.

\*MR. ASQUITH: The Government will adhere to their proposal. I have listened with considerable astonishment to some of the arguments used on both sides of the House in opposition to our proposal. The late Government introduced an Employers' Liability Bill in 1888, and that proposal was discussed at very much shorter length on the Second Reading than the present Bill, though, of course, the Bill of 1888 was, as we think, less adequate and less complete than the measure now under consideration. Though discussed at much shorter length, the Bill of 1888 was referred, with the general consent of the House, to the Grand Committee on Law. I confess I cannot see what change there has been in circumstances to lead the right hon. Gentleman opposite to his altered view.

MR. A. J. BALFOUR: I think the right hon. Gentleman cannot have done me the honour to listen to my observations, in which I pointed out that the Bill of 1888 was framed on the recommendations of a Select Committee, whereas the present measure traverses the recommendations of that Select Committee.

MR. ASQUITH: I do not at all admit the justice of the right hon. Gentleman's description, and, if I did, it is wholly irrelevant to the point I am discussing—namely, as to what tribunal the Bill should be referred to. It is quite true that the Bill of 1888 followed the recommendations of the Select Committee as to the inclusion of seamen, while the present Bill does not do so; but what possible bearing has that on the question of the tribunal to which this Bill shall be referred? If the Bill went to a Select Committee evidence would be taken, and a large amount of time would be spent; and then when the Bill has been transformed to what my right hon. Friend (Mr. J. Chamberlain) desires—for that is the real object—the right hon. Gentleman does not want the

present Bill carried at all; he wants an entirely different Bill, of which he may claim the authorship—then the Bill will have to go through the ordeal of a Committee of the Whole House. It is very curious that the Bill should be smothered by the attentions of those who are anxious to see it passed. It is suggested that hon. Members cannot attend both Grand Committee and Committee on the Government of Ireland Bill. But I would point out that the Grand Committee only sits two days a week, meeting at 12 o'clock and adjourning at half-past 2 or 3 o'clock. There is no reason why it should sit after the House meets.

LORD R. CHURCHILL: I would remind the right hon. Gentleman that the Grand Committee often sits after the House has met.

\*MR. ASQUITH: That is not my experience. My object, and the object of the Government, is to get the Bill through. We desire the fullest and freest possible discussion of every one of its details. We are perfectly prepared to consider in a non-Party and friendly spirit every suggestion for its improvement, honestly believing that we can best and most effectually attain that end by referring the Bill to a Grand Committee, and leaving the House the fullest opportunity on Report to revise the decisions of the Grand Committee. We adhere to the proposition we have made.

SIR J. GORST (Cambridge University): I should like to ask what opportunities the House will have for expressing its decision on the important point as to whether Government *employés* shall be brought within the scope of the Bill? A Select Committee could have taken evidence on this subject; they had before them the heads of the Admiralty and War Office. The noble Lord the Member for Rochester has put an Instruction upon the Paper which Mr. Speaker has ruled out of Order. Any Amendment in Committee or on the Report would be equally out of Order; and unless the right hon. Gentleman will afford some opportunity, the Bill will go through without any opportunity for hon. Members to raise, or for the House to decide, this question. I took some pains when the Bill of 1880 was under consideration to get a decision of the House upon this point; and I have

no hesitation in saying that, had the House at that time been able to express an opinion, the Government would have been made liable to the provisions of the Act now in force. But, owing to the Forms of the House, it is not competent for a private Member to bring forward any Motion which directly or indirectly imposes a charge upon the Public Revenue; and hence I was precluded getting a decision on that occasion. I am, therefore, anxious that we shall not now be placed in the same position.

MR. ASQUITH: By the indulgence of the House I will reply to this. The request of the right hon. Gentleman is perfectly reasonable. I wish to state that the Government intend, when the Bill gets to Committee, to propose clauses dealing with this matter. The proposal will be that workmen in the employ of the Government, as, for instance, in the Dockyards and Arsenals, shall be put on the same footing—in principle upon the same footing—[*Cries of "Oh!"*—as men in private employment. Hon. Members say "Oh!" but the point is one which requires a considerable amount of adjustment in its details.

LORD R. CHURCHILL: I should like to say a few words as to the position in which we have been placed by the Government, who have, apparently, decided to force this Bill on to the Standing Committee on Law. In adopting this course, is not the First Lord of the Treasury deliberately breaking down the only foundation upon which Standing Committees can possibly be carried on? Bills coming back from ordinary Select Committees have to go before the Committee of the Whole House; but when a Bill comes back from the Standing Committee the Committee stage is avoided, and it immediately comes before the House on Report. To avoid the inconvenience which formerly arose, the right hon. Gentleman the present Prime Minister with much wisdom proposed the system of Standing Committees, in which Parties were to be fairly represented, and before whom Bills were to be much more thoroughly discussed than before a Select Committee. The right hon. Gentleman admitted at the time—and he will no doubt admit now—that as my right hon. Friend the Member for West Birmingham pointed out, Bills which concern large and universal interests are not entirely

suited to go before a Grand Committee. What will happen if the right hon. Gentleman presses this proposal? He will break down the operation of Standing Committees. A new practice will be introduced—the Opposition will have to introduce it, and I say this with the concurrence of the Leader of the Opposition—the practice of refusing, as an Opposition, to take part in the proceedings of the Committee. That is a serious step to announce; and what becomes of Standing Committees if that course is taken by a large Opposition in the House of Commons? What becomes of the system if, in order to emphasise a great difference of opinion, nearly half the House of Commons refuses to take part in a Standing Committee? How shall we ever get a Standing Committee formed again? We shall take this course on what we hold to be solid ground; we think this Bill ought to be discussed in Committee of the Whole House. The Leader of the Opposition is in agreement with me, and authorises me to say that we do not press that the Bill should go before a Select Committee; but we must insist, by the use of all the legitimate Parliamentary weapons we can bring to bear, that a Bill of this magnitude and importance shall be kept within the cognisance of the House during the Committee stage. I do appeal to the First Lord of the Treasury—have we not got enough subjects of difference at this time? Why add this to them? It must effect most unfortunately a great reform of procedure that the Prime Minister carried with great advantage to this House. The right hon. Gentleman is straining his own form of procedure by trying to force a very large Opposition against their will to go before a Standing Committee and forego the discussion of a great measure in Committee of the Whole House; he is adding a most bitter controversy to the many which now, unfortunately, exist. From what I know of the opinion of hon. Gentlemen behind me and from the knowledge I have of the opinion of the Leader of the Opposition, I believe it is their determination to disregard most of the proceedings of the Standing Committee. Certainly to send the Bill there must lead to a tremendous addition to the labours of Parliament as a whole, for it must lengthen the proceedings on the Report,

and by so doing destroy one of the greatest implements of usefulness which the right hon. Gentleman has introduced into the procedure of the House.

MR. W. E. GLADSTONE: I do not want to prolong the Debate more than a very few minutes. I am quite sure my right hon. Friend the Member for West Birmingham will join with me in melancholy reflection on the fate of the promise which he made. I must say he had a better reason for that promise, if it was founded upon a fair consideration of the exigencies and merits of the case, than there has been for the remarkable speech we have just had from the noble Lord.

LORD R. CHURCHILL: I stated that if the Bill remained in Committee of the Whole House we would not press for its reference to a Select Committee at all.

MR. W. E. GLADSTONE: The case is before us. I am not going to impute to the noble Lord or to anyone who has spoken the smallest evil intention. Let that be understood. He has formed his opinion as to the best mode of pushing forward the Bill, and we have formed ours. I am bound to say that the Government have arrived at the conclusion that the mode recommended by the noble Lord—and now, as I understand, by the right hon. Gentleman sitting near him, the Leader of the Opposition—is a mode which, in our view, would render it totally impossible to pass the Bill into law during the present Session, and would lead unnecessarily to the postponement of a most valuable reform. The noble Lord has spoken with great solemnity of tone, bearing evidence to his deep sincerity, of the use, on this particular occasion, of all the means of Constitutional opposition which the Forms of the House provide in the event of our persevering with our proposal. Well, Sir, that is a threat which I admit is, under extraordinary circumstances, however inconvenient, yet possibly justifiable; but what are the circumstances under which the threat is made? In a matter admitted to be one not of Party contention and one of deep interest to the working men of this country, working under those who are described as employers, we are to be met with this resort to the extremest method of Parliamentary opposition. For what? For adopting exactly the same method of proceeding

which the late Government adopted in 1888. I appeal to the fairness of the noble Lord. Is this a suitable occasion? I do not want to compel the noble Lord to make another speech; I leave it to the internal operations of his own mind, which are always conducted in a spirit of candour and with a desire for the public good. Is it a fair proceeding, with respect to the immediate proposition before the House, to resort to the menace of the use of this extreme weapon, when we are going to refer the Bill to a Committee in exactly the same manner as the late Government referred their Bill upon the same subject? I am convinced that the Opposition will not decline in a body to serve upon a Grand Committee under the circumstances in which the Grand Committee is proposed—precisely the same as it was proposed upon a Bill on the same subject by the Government which they supported a few years ago.

MR. MAC INNES (Northumberland, Hexham) said, he desired to point out that this question had already been considered by a Select Committee which sat in the year 1886, and he was bound to remark that very little use had been made of the evidence given before that Select Committee by hon. Gentlemen who were now anxious to relegate this question once more to a Select Committee. Many hon. Members regretted that they would not be able to take part in the discussion of the Bill by a Grand Committee; but they hoped that those who might be nominated to sit on the Committee would not justify the noble Lord's outburst. Let them remember that this was not a Party question; that it was a matter which every class of the community wished to see settled, and in regard to which a vast amount of information was stored in Blue Books in the evidence taken by the Select Committee, upon which the late Mr. Bradlaugh took such a conspicuous and useful part.

\*MR. FENWICK (Northumberland, Wansbeck) said, that some who, like himself, had the honour of sitting in the last Parliament, must have listened with surprise to the arguments which had been urged by the right hon. Member for West Birmingham and by Members of the Opposition. It would be well within the recollection of many hon. Members that in the last Parliament Mr. Broad-

hurst, standing at the Front Opposition Bench, made a passionate appeal to the Leader of the Conservative Party, the late Mr. W. H. Smith, considering the importance of the Bill of the late Government, and the wide interests affected by it, that the Bill should not be sent to a Grand Committee, but should be considered in Committee of the Whole House. The Government at that time refused to listen to the appeal which was made by Mr. Broadhurst, and supported by the hon. Member for Donegal (Mr. Arthur O'Connor). This afternoon the Leader of the Opposition had let them into the secret why the Opposition was so anxious that this Bill should not be considered by a Grand Committee, but that it should be referred to a Select Committee. The effect of sending such a Bill to a Select Committee would be to defeat the progress and the passing of the Bill this Session.

MR. A. J. BALFOUR: Perhaps the hon. Member is not aware that my noble Friend said he was prepared to accept as a compromise that the Bill should not go to a Select Committee, but that it should be discussed in Committee of the Whole House.

\*MR. FENWICK said, he was pleased to have that assurance, because it marked a wonderful change of opinion since 1888, when the Government absolutely refused to lend an ear to the appeal, although the Debate on the Second Reading had occupied less than five hours, whereas this Bill had been debated 12 hours on the Second Reading. What was the opinion of the right hon. Member for West Birmingham in 1880, when a similar Motion was made by Mr. Knowles, who was then Member for Wigan? The right hon. Gentleman, speaking on the Motion to refer the Bill to a Select Committee, said—

"A Select Committee is the natural resource of a Government that does not want to legislate and of a Parliament that does not want to legislate. This Government and this Parliament is not yet tired of legislating."

The suggestion to send a Bill like that to a Select Committee was the natural resource of individuals, as well as of Governments, that did not wish to legislate, because the effect of such a course would be to prevent the passage of the Bill through this Parliament. He did not say that to prevent the progress of

the measure was the object with which the Motion had been moved; but that, undoubtedly, would be its effect if it was accepted by the Government. ["No!"] He had given the law and testimony as delivered by the right hon. Member for West Birmingham. The right hon. Gentleman said that the Bill was becoming less and less pleasant to the people with whom he came in contact. He did not know the people with whom the right hon. Gentleman came in contact, and who were less and less enamoured of the Bill. Did he know the opinion of the working men of Birmingham?

MR. J. CHAMBERLAIN: Yes, I do.

MR. FENWICK said, he had received a Memorial from the Trades Council of Birmingham in favour of the Bill.

MR. J. CHAMBERLAIN: They do not represent one tithe of the workmen of Birmingham.

MR. FENWICK: I can only say that the Memorial signed—

\*MR. SPEAKER: Order, order! The opinion of the Trades Council of Birmingham has nothing to do with the question whether the Bill should be referred to a Select Committee.

\*MR. FENWICK apologised for being led from the strict line of the Debate by the right hon. Gentleman. He was glad to hear from the Home Secretary that it was the intention of the Government to adhere to their proposal to refer the Bill to a Grand Committee. All the questions raised by the Bill could be considered fully before the Grand Committee, and there would be a reasonable hope that the Bill would be carried through this Session, thereby realising the desire of numbers of working men who were deeply interested in the measure.

VISCOUNT CRANBORNE (Rochester) said, he had served, young Member though he was, on four Grand Committees, and he found that they were not at all suitable for discussing any Bill on which there were great differences of opinion. The Rules and Procedure of Grand Committees were very unsettled. There was no Closure, but there was an arbitrary power in the hands of the Chairman to put an end to a discussion. That would not be a satisfactory way of discussing a Bill of this importance, and he thought it should be left to the Committee of the Whole House.

*Mr. Fenwick*

SIR EDWARD HILL (Bristol, S.) hoped the Government would give way, and submit the Bill to a Select Committee, or to the Committee of the whole House, in order that the important questions involved in it might be fully thrashed out. He was not opposed to employers' liability. On the contrary, he thought that employers should be held liable for accidents to the workmen and servants, and all those over whom they had actual moral and legal control; but there were circumstances that required to be fully gone into, and he thought that in the interest of the Bill, and in order to save time, the course suggested in the Amendment should be adopted.

Question proposed, "That the words 'the Standing Committee on' stand part of the Question."

Question put, and agreed to.

MR. POWELL WILLIAMS (Birmingham, S.) said, that after the observations of the noble Lord the Member for South Paddington, who had also expressed the opinion held by the Leader of the Opposition that the Bill ought not to go to a Standing Committee at all, he did not intend to move his Amendment that the Bill be referred to the Standing Committee on Trade.

MR. TOMLINSON (Preston) said, the only Bills referred to the Standing Committee on Law were Bills dealing with questions of law and procedure. The Bill before the House came strictly under the Rule regulating the referring of Bills to the Standing Committee on Trade. But he did not mean to move any Amendment, and would content himself with entering a protest against the action of the Government.

Main Question put, and agreed to.

Bill committed to the Standing Committee on Law, &c.

#### SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS (ESTIMATES).

Considered in Committee.

(In the Committee.)

#### CLASS I.

(1.) £31,745, to complete the sum for Royal Palaces and Marlborough House.

(2.) £76,064, to complete the sum for Royal Parks and Pleasure Gardens.

MR. A. C. MORTON (Peterborough) thanked the Secretary to the Treasury for the very clear and useful Memorandum he had issued dealing with these Votes. With regard to Bushey Park, which came under the Vote before the Committee, he wished to mention that complaints had been made of damage done in the Park by shooting parties. He thought those shooting parties should be stopped, and that the Park, which belonged to the people, should be given to the people, instead of to some members of the Royal Family.

\*SIR RICHARD TEMPLE (Surrey, Kingston) hoped his right hon. Friend the First Commissioner of Works would take that opportunity of explaining the arrangements he had made for the admission of the public of Kingston and Surbiton to the Home Park at Hampton Court under certain reservations. In the interview which the right hon. Gentleman had been good enough to give to a deputation which he had had the honour of introducing, the right hon. Gentleman gave, in general terms, a very kindly reply to the request of the deputation; and, no doubt, he had been able since then to bring the arrangements for the opening of the Home Park to a satisfactory conclusion. He also desired to urge on the right hon. Gentleman the opening of Kew Gardens at an earlier hour than noon to the general public. The only persons admitted to the Gardens between 10 o'clock and 12 were members of artistic and scientific associations, who received special tickets from the Director. He was as alive to artistic and scientific considerations as any man, and he did not think that scientific research or artistic research in the Gardens would be interfered with by the admission of the public at an earlier hour than at present. The objection that it would entail additional expense might be raised. He would be sorry to make any recommendation which would involve additional cost; but he could not help thinking that if there was any real desire on the part of the authorities to admit the public to the Gardens between 10 and 12, no means would be found to carry it out without any appreciable extra expenditure.

\*THE FIRST COMMISSIONER OF WORKS (MR. SHAW LEFEVRE, Bradford, Central): I have great pleasure in



being able to take this opportunity of informing the Committee that I have the permission of the Queen to say that Her Majesty has given her approval to the throwing open of Hampton Court Park to the public. I think that this will be recognised as a great boon, not only by the inhabitants of Kingston and Surbiton and the surrounding neighbourhood, but also by the public of London generally, who visit Hampton Court in large numbers, especially on Sundays. The Park consists of about 500 acres, and has some magnificent avenues planted by Charles II. Hitherto the public has been excluded from the Park, but now, with the exception of two or three meadows by the river side, which are not suitable, the whole will be thrown open to the public. As there are no roads at present, the Park will be open only to pedestrians. An additional expense will be entailed for park-keepers and in making access to the Park; but the Chancellor of the Exchequer has willingly assented to this addition to the public cost. It will not be necessary, however, to apply for a Supplementary Estimate during the present Session. I may say that Her Majesty opened the Hampton Court Gardens to the public early in her reign, and she opened Kew Gardens about the same time, so that in now opening the Park at Hampton Court Her Majesty is only carrying out the policy she has pursued all through her reign. As to Kew Gardens, I am afraid that I cannot give an answer which will be thought to be so satisfactory. The earlier opening of these Gardens would be attended with additional expense, and I think that the hon. Baronet ought to be satisfied with the intimation I have just made as to Hampton Court Park, and not expect the Government to incur additional expenditure at Kew. To the question asked by the hon. Member for Peterborough I hope to be able to give a satisfactory reply. The sporting rights in Bushey Park are vested in the Queen, and I have no more right to interfere with them than I would have to interfere with the rights of any private individual with respect to private property. Her Majesty gives the sporting rights to her friends, and of late years the right of shooting has been granted to Baron Pawel Rammingen.

**MR. A. C. MORTON:** Who is he?

*Mr. Shaw Lefevre*

**MR. SHAW LEFEVRE:** He is the husband of the Princess Frederica, a near relation to the Queen. In the course of last winter a member of a shooting party authorised by the Baron unfortunately shot a young man in the park. When the incident came to my notice, and having regard to the use made by the public of the Park I thought it desirable that the preservation of game should be discontinued, I brought the subject to the attention of the Queen. With that consideration for the public which she always shows, Her Majesty took the same view of the matter. Her Majesty has withdrawn the permission to shoot from the Baron, and the preservation of game in the Park for shooting purposes has come to an end.

**MR. FREEMAN-MITFORD** (Warwick, Stratford) hoped the right hon. Gentleman would adhere to his decision not to open Kew Gardens earlier. There was absolutely no necessity for the early opening of the Gardens. The Gardens contained the finest botanical collection in the world. Scientists visited it from all parts for the purposes of study, and it would be impossible for that state of things to continue if the Gardens were opened two hours earlier simply for the benefit of the children and the nursemaids. Besides, it would be a more costly arrangement than at first sight appeared, and if any additional expense was to be incurred on this head it should be borne by the ratepayers of the district, and not by the general rates.

Vote agreed to.

3. £33,095, to complete the sum for Houses of Parliament Buildings.

**MR. R. G. WEBSTER** (St. Pancras, E.) said, that under this Vote the question of the accommodation of Members within the House had been often discussed; but the subject of the alteration of the House had never been closely considered. In 1867-8 a strong Committee was appointed by the House to investigate this matter, and among other recommendations that Committee received was one from Mr. Edward Barry, who stated that the House could be rebuilt during the Recess for a sum of about £120,000 so as to give accommodation for 569 Members, whereas now they were only able to seat 430 Members. They were told that the House was not always full

—for instance, during the discussion of the Estimates and other matters; but whenever an important discussion took place the House was not near large enough to afford accommodation for the Members, many of whom had to stand below the Bar and behind the Speaker's Chair. Again, the acoustic properties of that building were not very good, one reason for that being that beneath the House there was a Chamber six feet in depth, and the voices of speakers descended to that cavernous region. By the alterations suggested by Mr. Barry, this cavernous region would be done away with, and the ventilation would be greatly improved. At the present time the air of the House was not so pure as it might be; but the alterations which Mr. Barry recommended would remedy this. The Report of the Committee went on to show that the present House could be utilised as a new Lobby for the use of Members only, and outside this Lobby a number of rooms could be provided for the officers of the House. This in itself would be a desirable improvement, because, at the present time, the offices were very much scattered and consequently inconvenient. Again, the proposed alterations would give 12 or 14 more seats for the Press, and would give increased accommodation—which was much required—in the Ladies' Gallery, the ventilation of which would also be improved. The inconvenience caused to hon. Members by the inadequacy of the accommodation would be amply illustrated during the discussion which would take place in the ensuing month: and he thought that, instead of the question being relegated to the next Session, it should be at once dealt with. In no proposal which was made to the Committee was it ever suggested that there should be a tribune; but it was always understood that Members should address the House from their places. It was found that a building could be erected with sufficiently good acoustic properties as to enable Members to be heard from their places as easily as now, whilst giving accommodation to between 500 and 600 Members. He urged the right hon. Gentleman to consider whether, in some way or other before the meeting of Parliament next year, some steps could not be taken to do away with the

present serious inconvenience to which hon. Members were subject?

MR. FREEMAN-MITFORD called attention to the scarcity of lockers in the House, and stated that accommodation in this respect was very much needed by hon. Members.

MR. JEFFREYS (Hants, Basingstoke), alluding to the lighting of the Library and the Reading Room, expressed the opinion that the electric lighting required shading. Nothing hurt the eyes more than electric lighting which was not properly shaded. In the Library, although the light was very good, and one could see in any part of the room, there was no shading whatever, so that the light was very hurtful to the eyes. He hoped the First Commissioner of Works would order some shading to be put up, and then the light would be exceedingly good. There was another matter which he wished to mention. He could not understand why, after a Division, Members were allowed to go into the outer Lobby, but were then not allowed to go outside. He failed to see why the outer door should not be opened, because after Members had gone through a Division no harm could possibly be done, whilst it would be a great convenience to hon. Members if they were then allowed to go out.

MR. WILLIAM SIDEBOTTOM (Derbyshire, High Peak) complained of the insufficiency of the accommodation provided in the Newspaper and Tea Rooms. In either room one could not sit in any place without being in a draught, and the rooms were far too small, one being merely a passage. He suggested that some other room of a more commodious character should be obtained for the convenience of Members who desired to read the newspapers.

MR. LABOUCHERE said, the wishes of the hon. Member could easily be met if the First Commissioner of Works would agree to place the newspapers in the present Smoking Room, and give the smokers the Tea Room and the present Newspaper Room. This very proposal was agreed to at one time; but, after it was agreed to, the late Mr. Beresford Hope got up a sort of memorial on the subject, and it was stated that the smoke might penetrate into the House itself if the smokers were allowed to use those rooms. Un-

doubtedly the present Smoking Room was a great deal too small; and while there was generally plenty of room in the Reading Room, it very often happened that there was not even standing accommodation in the Smoking Room. When the present room was granted to the smokers it was recognised that it was too small, and it was arranged that they should also have a Committee Room of the House of Lords. He did not know why the latter room had been taken from them, but they had lost it. It was suggested that there was a little room downstairs which they could use. But the poor smokers did not want to be put in cells downstairs like criminals, nor did they want to go on reading newspapers all day; but they wanted to go on smoking, and they ought to have sufficient accommodation for that purpose.

MR. JOHNSTON (Belfast, S.) hoped the right hon. Gentleman would not listen to the suggestion of the hon. Member for Northampton. He confessed himself to be a heretic—that was, he was a non-smoker—and he wanted to read the newspapers. When reading the newspapers they were sometimes interfered with by the talk of hon. Members from Ireland. If the right hon. Gentleman would provide them with a Talking Room instead of a Smoking Room it would be better.

\*MR. SHAW LEFEVRE said, that one of the best solutions for getting rid of the difficulty of the overcrowding in the House was to increase the attractions of other parts of the House; and if he could increase the attractions of the Smoking Room or of the Reading Room he should be glad to do so. His hon. Friend the Member for Northampton had called attention to the fact that some years ago, when the present Smoking Room was given, another room close by was conceded. He did not know how it was that this room had been taken away; but he would make inquiries, and endeavour to have it restored to hon. Members. As regarded the Reading Room, he could not promise that that should be given up to the smokers. Some years ago a proposition to that effect was made, but so much opposition arose that it was found impossible to carry it out. He did not, therefore, think he could undertake to

put his hand to the matter again. With regard to the question of lockers, he could assure the hon. Gentleman opposite that attention would be given to that subject, and also to the question of lights in the Reading Room and Library. With regard to the accommodation generally in the Reading Room, he entirely agreed it was insufficient; but hon. Members would recognise that the accommodation of the House was very limited in all directions. It would be desirable to increase it in many ways, and he had often called attention to the large space under the roof now occupied by private residences. He thought they might look forward to an increase in the accommodation of the House. He hoped the hon. Member for St. Pancras would not expect him to go through the question of the accommodation of the House now, the more especially as the hon. Member for Northampton had threatened to raise the question on the Vote for his (the First Commissioner's) salary. His hon. Friend seemed to think it rested with him whether there should be a Committee or not; but he would point out that any single Member of the House could object to the discussion going on otherwise than before 12 o'clock, and he was sure hon. Members had no intention of allowing him to have that Committee without discussion or objection. The matter, therefore, did not rest wholly with him, but he did not propose to lose sight of the subject. He had already had plans prepared in the Office of Works for increasing the accommodation of the House to some extent, without injuring the large plans of the hon. Member for Northampton, which were the subject of the observations made the previous night. He should, at some future time, submit them to the consideration of the House. He still thought it desirable to wait some little time and see what the result of the next few weeks might be, and they would have an extremely good test of the real wants of the House in the course of the Committee on the Home Rule Bill.

\*GENERAL SIR FREDERICK FITZWYGRAM (Hants, Fareham) suggested the advisability of the width of the troughs at the back of the Benches being decreased, so that Members would be able to pass along the seats without causing that inconvenience to other Mem-

bers which they were obliged to do at present.

\***MR. HERBERT** (Croydon) called attention to the light in the Clock Tower. A considerable sum of money had recently been spent on this light, without effecting much improvement. He suggested the employment of an electric light in the nature of a search light throwing up a column in the air which could be seen all over London. Such a light might, at any rate, be tried, as a matter of experiment, for a few weeks; and he ventured to say it would be found much more convenient than the present light, which—especially in the case of a fog—could not be seen at a greater distance away than about half-a-mile.

**MR. TOMLINSON** remarked that the light from the roof of the House was not constant in quality, and this was a matter which might very well receive consideration.

\***MR. PERCY ALLSOPP** (Taunton) suggested that if the yard outside the Members' Cloak Room were converted into a covered space, it would make an admirable Smoking Room.

**MR. MACFARLANE** (Argyll) asked were they to understand that if the hon. Member for Northampton moved for a Committee to consider the question of the accommodation in the House there would be no objection on the part of the Government? He himself was in favour of a moderate enlargement, but he should be sorry to see it enlarged to such an extent that there would be a fixed seat for each Member.

**THE MARQUESS OF CARMARTHEN** (Lambeth, Brixton) urged the right hon. Gentleman to consider whether it would not be possible to open the outer doors of the Lobby before the Division was over, in order that hon. Members who had recorded their votes might at once return to other parts of the House. It would be easy to prevent hon. Members who had not taken part in the Division from entering the Division Lobbies, and if the course he suggested were adopted it would be a great convenience to hon. Members.

**MR. HOWELL** (Bethnal Green, N.E.) asked if it was not possible to make further provision for a Conference Room, as the present room was occupied by the private secretaries of Members? He was not complaining of that at all—

he recognised there was a necessity for it—but he thought some arrangement ought to be made so that Members might have some place in which to receive small deputations or in which to hold meetings among themselves.

\***MR. SHAW-LEFEVRE** quite agreed that the present Conference Room was not adequate for its purpose. He had been endeavouring to negotiate the transfer to the House of Commons of the three rooms now allotted to the Railway Commissioners. The consent of the House of Lords, to whom the rooms technically belonged, and of the Railway Commissioners would be necessary before the transference could take place. But if these rooms could be obtained, a very fine Conference Room could be provided. They were just opposite the present Conference Room and would be quite as convenient. With regard to the question of the noble Marquess, he would consult the authorities to see if there was any real reason for preventing Members going out of the Lobby. He quite agreed it would be a great convenience if Members could be allowed to leave the House as soon as they had voted, and he would consult the authorities of the House as to what was the real reason for keeping the outer doors shut. He would also communicate with hon. Members on the other questions which had been raised. As to the question of the hon. Member for Argyll, he thought that hon. Member would recollect that he (Mr. Shaw-Lefevre) merely stated, in answer to the hon. Member for Northampton as to whether there should be a Committee on the accommodation of the House, that the question did not rest only with him, but with private Members.

\***MR. JAMES LOWTHER** (Kent, Thanet) said, that with regard to the detention of hon. Members taking part in Divisions, until a comparatively recent period the Lobby door was not opened until after a Division was completed, and therefore it was a comparatively recent concession that the Hall immediately convenient to the House had been made available for the accommodation during Divisions. If some facilities could be afforded for hon. Members being relieved from the detention complained of it would be very desirable, though, no doubt, the possibility of a recount being called

for had to be borne in mind. As to the question of accommodation in the House, he was glad that the right hon. Gentleman the First Commissioner of Works had given up the *non possumus* position he had taken up last Session, when the subject was last under discussion, and was now willing to admit that something ought to be done to increase the accommodation in that House and in the various rooms provided for the convenience of hon. Members. The right hon. Gentleman had said that he intended to be guided in the matter by the experience which he would obtain during the next few weeks whilst the Home Rule Bill was being discussed in Committee. But he was afraid that when that Committee came to an end the right hon. Gentleman would say that that was the first time within his Parliamentary experience that there had been so large an attendance for so great a time consecutively; that the circumstances were wholly abnormal, and that they were never likely to have again such a continuous and close an attendance of Members. That, he suspected, was what the right hon. Gentleman would tell them after the experience of the next few weeks. He wished to press upon the right hon. Gentleman, both as regarded the accommodation in the House and in the Writing Rooms, Smoking Rooms, and so on, that he must bring his mind to this fact—that the average attendance in the discharge of Parliamentary duties had increased very much during the last quarter of a century, and the present scanty accommodation for hon. Members was wholly inadequate. He could understand the right hon. Gentleman desiring to consult experts as regarded the extent to which the accommodation should be increased, but that they should be content much longer to remain with the miserable accommodation now provided was entirely out of the question. The hon. Member who had raised this question had drawn their attention to the fact that because of the insufficiency of the accommodation a Member was unable efficiently to discharge his Parliamentary duties, and certainly such a condition of things ought not to be allowed to continue. The hon. Member for Northampton had brought forward the claims of the smokers. He (Mr. Lowther), like the hon. Member for

South Belfast, was a non-smoker; nevertheless, he thought the claims of smokers should be clearly and distinctly recognised in the matter of accommodation. The hon. Member had suggested, in the shape of a Bill, means whereby additional accommodation in all its branches, through the withdrawal from their present uses of the whole of the chambers on the other side of the Central Hall, could be provided. He did not, of course, endorse the proposals by which the hon. Member attained the end sought for; but he thought some portion of the accommodation now appropriated, not to the House of Lords as a deliberative Assembly, but to officers of that House, and even to Railway Commissioners—a body which had no claim whatsoever for accommodation in the Palace at Westminster—that these opened out avenues through which additional accommodation could be provided for those who had legitimate claims to that accommodation. Of course, the officers of the House of Commons, who were in constant daily attendance, ought to have provision made within its walls for their personal accommodation; but there were many persons housed within the limits of the Palace at Westminster who would very much prefer that the public should provide that accommodation in a more suitable locality, and the places now set apart for that purpose could be more judiciously appropriated. He hoped the right hon. Gentleman would not allow his good resolves in this respect to be set aside, but would carry out reform in this direction. He did not intend now to enter into the question of the enlargement of the present Chamber, upon which he had recently expressed very decided opinions as to its utter inadequacy, but he thought the accommodation of Members in the Writing Room, Smoking Room, and so forth, could not brook much longer delay. He agreed with what had been said as to making further provision for a Conference Room, and urged that something should at once be done in this matter.

\*Mr. SHAW-LEFEVRE agreed with the right hon. Gentleman in his observations with regard to the accommodation of the House, and especially as to the direction in which it should be sought. The officers of that House required every

accommodation, having regard to the great length of time they were often compelled to be on duty. There were officers of the other House, however—for such, instance, as the Black Rod—whose duties were not very arduous, and in regard to whom it was not necessary to have houses under that building. He believed it was contemplated by the House of Lords making considerable changes in that officer's department, and in that case it would not be necessary to have so magnificent a house provided for him. Again, the Librarian of the House of Lords was a gentleman who received a salary of £800 a year. That seemed altogether inadequate to enable him to live in the house provided for him in the House of Lords. The gentleman himself did not live in the house provided for him, but he only occupied one room in it, living elsewhere. If that house was thrown into the accommodation of the building generally, it would enable them to make fresh arrangements to increase the accommodation. Without saying anything discourteous to the House of Lords, he thought facilities might be given by that House for increasing the accommodation of the House of Commons, and he would suggest to the right hon. Gentleman opposite that his political friends might have much greater influence than he himself could hope to have in that quarter, and he hoped the right hon. Gentleman would endeavour to use it in that direction.

\*SIR JULIAN GOLDSMID (St. Pancras, S.) said, the answer the right hon. Gentleman had given with regard to the accommodation of the House had not satisfied hon. Members who felt strongly that the accommodation was insufficient. Whilst there were 670 Members, there was only space on the floor of the House for 306, or far less than one-half. It was all very well for the right hon. Gentleman, who had a seat provided for him on all occasions, to be satisfied with the accommodation afforded; but it was not reasonable that hon. Members who had been returned to the House should, first of all, on occasions have to scramble at the door to get in, and then have regularly to rush to obtain a seat. Hon. Members obtained little sympathy from either Front Bench, be-

cause the occupants of the Front Benches were looked after carefully in the arrangements of the House. Ordinary Members found it a great inconvenience to be obliged to sacrifice much time in order to obtain a seat. He knew some hon. Members who came there and sacrificed six or seven hours in order to obtain a seat on the occasion of the Home Rule Debate. He contended that a Member of that House, who was returned to discharge his Parliamentary duties, ought to be able to obtain a seat in it whenever there was important business, just as easily as in his own house. He knew of no other Parliament in any country where every Member was not provided with a seat. The Resolution which was passed in 1868, set forth that the accommodation was insufficient; and if it was insufficient in 1868, when the number of Members was smaller than now, it was certainly insufficient in 1893. It was time some better arrangement was made by which more than 306 Members could obtain seats on the floor of the House so as to be able to take part in the proceedings. In order to show the absurdity of the arrangements for the accommodation of hon. Members, Mr. Mitchell Henry, on one occasion, addressed the Speaker from the Gallery, and he was ordered to come down on to the floor of the House. It was absurd there should not be more accommodation, and he thought the right hon. Gentleman ought to deal with the matter with more seriousness than he appeared to have brought to bear upon it.

SIR JAMES FERGUSSON (Manchester, N.E.) said, he could assure hon. Members that those who sat on the Front Benches were not destitute of human sympathy, and, moreover, he could assure the House that the Front Bench was often a very congested district. They might hereafter decide about enlarging the House, but the question which they had now to deal with was how hon. Gentlemen were to be decently accommodated at the present time. They were likely to have some interesting Sitings shortly when the scenes which had been described with so much pathos might be repeated. Certainly, it was not decent that a gentleman of mature age and serious appearance should be obliged to take part in an unseemly

rush in order to secure a place in which he could conveniently hear the Debate, and possibly address the House. It was not even decent that hon. Members should have to come down hours before the House sat in order to take their seats. He would beg leave to suggest that upon days when there was likely to be a crowd hon. Members should come down to the House a little while before Prayers and place cards in a box with their respective names, which should then be drawn out, one by one, and each Member should enter the House and take his seat as soon as his name was drawn. This would, at all events, be more seemly than the present system, and, certainly, something should be done to relieve Members from the necessity of taking part in an unseemly struggle.

Vote agreed to.

4. £41,200, to complete the sum for Admiralty, Extension of Buildings.

SIR ARTHUR HAYTER (Walsall) rose to ask the First Commissioner of Works whether he correctly apprehended his observations on the Vote on Account—that the extension of the Admiralty buildings would occupy a period of seven years? He made this inquiry of his right hon. Friend, mainly because a really great Metropolitan improvement—namely, the opening of St. James's Park to Trafalgar Square, would thus be delayed for so long a period, because the Admiralty clerks occupied a house required for the making of the new road, which could not be vacated until the new Admiralty buildings were fit for occupation. Neither could he understand how the expenditure of £180,000 which was estimated for to complete the Admiralty buildings could take so long a time, if £50,000 was to be spent in this year. At the same average of expenditure, the time for the completion of the buildings would be nearer three and a-half than seven years. He hoped his right hon. Friend would do all in his power to hasten the completion of the buildings, and so facilitate a great Metropolitan improvement.

MR. FORWOOD (Lancashire, Ormskirk) would like to know whether the sum proposed to be expended on the Admiralty buildings was regulated by the exigencies of the Chancellor of the

Exchequer, or by the amount of work that the contractors could undertake in the course of the present year? Already they had this building land acquired some five, six, or seven years, and the public had been charged at the rate of £16,000 a year, which was practically dead money—money absolutely lost so far as it extended to the reasonable and necessary time for completing the building. Of course, he did not say this was in any sense a Party question. He thought in times past too little money had been taken for it, and there could be no greater waste of public money than taking only a small amount for a great building in the course of a year. He thought a sufficient sum ought to be taken for these large buildings, as much as the contractor could possibly spend, and in that way only could they get the buildings finished within a reasonable period. By this delay they were losing not only £16,000 a year on the cost of the land, but they were paying a large sum for the rent of other buildings such as the hon. Member had just alluded to, and which were occupied by clerks of the Admiralty. But the Admiralty, further than that, was placed at great inconvenience and the utmost difficulty in doing its work by reason of the various Departments being scattered over various houses. He hoped the right hon. Gentleman was furnishing the contractor with so large a sum of money in the coming year as he possibly could spend in pushing on these buildings. It would be far better to get one set of buildings completed than to fritter away comparatively small sums on different buildings and spread over a number of years.

\*MR. SHAW-LEFEVRE quite agreed with the remarks of the last speaker as to the delay in the progress of works like this through not voting sufficient money, and he had not fallen into that mistake. On the contrary, he was quite prepared to spend any amount of money within the present year to hasten the completion of the works. But there was something worse than not voting sufficient money to be spent within the year, and that was delaying the work altogether, and not undertaking it; and he thought the right hon. Gentleman opposite (Mr. Forwood) would recollect that it was his own Government which

*Sir James Fergusson*

delayed the commencement of the work on account of unwillingness to insert the necessary item in the Estimates. These works were recommended by the Committee of 1887, and that Committee in its Report stated as a reason for throwing over the wider scheme which had been propounded to the House previously, and recommending that an extension only of the Admiralty buildings should be carried out, that they thought that extension could be completed in two, or at the most three, years. But since 1887 six years had already elapsed. Some delay took place in consequence of the plans not having been completed by the architect. The arrangements between the Admiralty and the architect were not completed for a year, and a delay of 12 months subsequently occurred in consequence of the Treasury refusing to vote money. Some further delay was caused by difficulty as to the foundations, nearly seven years more would be required for this work, making in all 12 years from 1887 instead of two or, at the most, three. What was the reason for seven more years being required for the completion of the work? The reason was this: The building was being erected in two blocks instead of one. That course was rendered necessary by the fact that some houses occupied by the Admiralty were on the site of one portion of these buildings. It was found that difficulty and expense arose in removing the clerks from that building and finding temporary buildings for them pending the erection of the permanent structure; and, in consequence of that, objection was raised by the Treasury of the Government with which the right hon. Gentleman was connected, and it was determined to erect the buildings in two blocks instead of one. So far as he had been able to ascertain, it would take two years more for the completion of the first block. It would then be necessary to spend some little time in removing the clerks in the Admiralty from the buildings in which they were now placed into that new block, and then some further time in pulling down those buildings. The foundations of the new block would then be commenced, and assuming that the same time would be occupied on them and on the new block of buildings as on the first block, a total length of six or seven

years would elapse before the completion of the work, or 12 years from 1887. During the whole of that period they were losing at the rate of £16,000 in the interest of money for the value of the land; losing the rents of the various houses hired for the accommodation of the clerks of the Admiralty, and also losing the interest on the value of the lease on the other side of Whitehall, which the late Government determined should be ultimately used for the War Office, and which they would not commence until the Admiralty was completed. The value of that site was no less than £400,000, and therefore they were losing the interest of that £400,000, which might be released by devoting it to building purposes—and they were losing the interest on that site for the 12 years from the commencement of this building until they commence the War Office part of it.

MR. PLUNKET (Dublin University) said, the right hon. Gentleman had made a rather gloomy forecast as to the time required to complete the Admiralty buildings according to the plans which were being carried out; and he had also criticised severely the action of the late Government in rejecting the plans he himself (Mr. Lefevre) had proposed. He would remind the right hon. Gentleman that that rejection was not the action of the late Government, but was a result in pursuance of the finding of a Committee which, by a large majority, rejected his plan and recommended the plan which was being carried out. Therefore, his criticism and condemnation of what was being done must fall upon his own colleagues.

MR. SHAW-LEFEVRE said, he had not made any such remarks as the right hon. Gentleman attributed to him.

MR. PLUNKET said, he might have misunderstood the right hon. Gentleman. He would explain that the delay that had occurred was not due to the refusal of the late Government to provide money, but it was the consequence of unfortunate circumstances which could not be foreseen—such as the difficulty of obtaining foundations, owing to the nature of the subsoil. On his own part, he had nothing to regret, and he did not believe that the completion of the buildings, in accordance with the recommendations of the Committee of 1887, would involve the delay which the right hon. Gentleman indicated.



\*SIR E. J. REED (Cardiff) said, the business of the Admiralty was being conducted under serious disadvantages, and no one would conduct his private business under such conditions as the staff had long been exposed to for lack of accommodation. It was not surprising that the First Commissioner had thought it right to make a full statement on the subject. The right hon. Gentleman opposite threw the blame for delay upon the Committee; but, if the plans of the present First Commissioner had been carried out, they would have had public buildings suitable for the purpose years before they could get them under existing conditions. He thought something ought now to be done to expedite the building operations. The mistake seemed to have been that the present First Commissioner had accepted as final and decisive the situation in which he found himself when he came into Office; but Parliament ought not to be content to wait seven years for the completion of the buildings. That was the adoption in the case of buildings of the policy that once characterised their shipbuilding, when public money was wasted wholesale by locking it up in ships that were on the stocks for seven or 10 years. The late Mr. W. H. Smith once asked him in the Lobby what he could have done better while he was First Lord of the Admiralty. In reply he asked Mr. Smith, "If you had been a private shipbuilder, and your manager had persuaded you to build ships under the pretext that they were wanted, would you allow them to be years in building, with your capital in them lying idle all the time?" Mr. Smith replied—"I quite admit that the whole system is as bad as it can be, and, if I were First Lord of the Admiralty again, I would be a very different First Lord from what I was." He trusted something would be done to relieve them from a state of things like that with regard to the Admiralty buildings.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby) said, he thought he ought to say a word upon the subject. If there were any fault in the matter, he was one of those who were guilty in common with Mr. W. H. Smith, to whom his hon. Friend had just paid such high testi-

mony. He took an active part in the Committee spoken of, in concert with Mr. Smith. They thought a good deal of public money was about to be wasted upon the designs put forward, and they therefore thought that a Committee ought to be appointed to consider plans that were to cost £700,000. The Committee were unanimous in their opinion that the elevation was unsuitable. There were towers that would have been a terrible eyesore, and the general style of architecture was what he might call a provincial municipal style. They came to the conclusion that a far better style of architecture for the purpose was the style of the existing Admiralty buildings or Marlborough House. A plan in accordance with the views of the Committee was prepared and brought down to the House, and if anything was said about three years it was on the authority of the architect and the surveyor of the Board of Works. No great public buildings were ever built in the time originally estimated, and, as to these buildings themselves, they had a feeling of despair. Every public building seemed to be, if possible, worse than its predecessor, and more inconvenient for the purposes for which it was intended. He really thought that the Foreign Office and the Home Office could not be beaten in the matter of inconvenience; but they were superseded by the Royal Courts of Justice. It was, in his opinion, a pessimist view to take—and which had been enunciated—that these new buildings would not be completed under seven years. He was sorry that the architect and surveyor of the Board of Works were mistaken in thinking that the buildings would be completed in three years. It had taken five years and they were not built yet, but he did not think it would take seven years more. All they could do was to finish the job as soon as they could, and he did not think that there was anyone to blame unless it should be the Committee. The matter was now in a sound position, and he hoped there would be as little delay as possible in carrying out the work.

\*MR. JACKSON (Leeds, N.) said, he was also a Member of the Committee, and perhaps he ought to take rather more blame than the Chancellor of the Exchequer, as at the time he was also Secretary to the Treasury, and therefore

more or less responsible if there was any supposition of any delay in providing the necessary money. The Committee were practically unanimous on the plan, but in carrying out the plan there were two or three questions which involved delay. In the first place, it was uncertain what sort of a foundation there was. The bed of an old stream ran through the site, and there was also the belief that there was some shifting of the sand there.

SIR W. HARCOURT: The Admiralty itself is built on piles.

\*MR. JACKSON said, that was so; as the right hon. Gentleman said, the Admiralty itself was built on piles. The question came before him at the Treasury, and his experience was that it was a little doubtful whether this site would be a satisfactory one. The question was held over for a long time; and then there was delay in advertising for contractors. They had a strike which lasted for a long time, and that was a most unsatisfactory time to advertise. The delay altogether extended over several months. But once the building was commenced there was no reason for delay. He did not know whether the right hon. Gentleman had stated the amount of money expended on the building operations last year and this year. He thought it stood at about £40,000 last year when he (Mr. Jackson) was in Office; but perhaps the right hon. Gentleman could inform them, approximately at all events, the respective amounts, which would give them a fair idea of the progress that was being made, as to his mind it seemed that there had been no unnecessary delay from the start. The officials of the Admiralty suffered great inconvenience from the fact that they were scattered all over different offices. There could be no doubt about the serious inconvenience; and he was of opinion that until the present buildings were completed, they could make no effective change. If the right hon. Gentleman in giving them the figures he had asked for, told them that he was in a position to make more rapid progress than had been made up to the present, he, for one, would be glad to hear that intelligence. There was really no reason why they should not go forward with more rapidity.

\*MR. SHAW-LEFEVRE said, he could assure the right hon. Gentleman that he had done nothing to prevent the work being completed in the most rapid manner. He was most anxious to see it completed, although he did not approve of the scheme originally, but had accepted it as he found it, and it was his desire there should be no avoidable delay in carrying it into effect. If there was any blame, it was not unwillingness with regard to money. One year was lost by the late Government—

MR. PLUNKETT: What year was that?

\*MR. SHAW-LEFEVRE said, he thought it was 1888-9; but it was an undoubted fact that one year was lost by the Treasury declining to vote the money. He did not wish to go into details regarding the past. He could only say that the accepted plans would be carried out as rapidly as possible; but he still held to the opinion that the works could not be completed under six or seven years. Last year £40,000 had been spent, and this year the amount would be £50,000.

\*SIR J. GOLDSMID (St. Pancras, S.) said, they should look at the figures in this matter of the Admiralty buildings. The original Estimate was £195,000, now it was calculated to cost £304,500. This was an extraordinary inequality, and they were told that it would take seven years longer, or, in all, 12 years. It was certainly a most startling statement—one of the most startling ever made in the House. Why, the buildings should be completed in not less than two years. A great deal might have been done before the contract was entered into at all. For instance, the foundations should have been prepared. That would have been the right method, and, if that had been done, the rate of progress would have been more satisfactory. But the fact was, the right hon. Gentleman did not like the plan, and he was rather delaying it than assisting it. The late Mr. W. H. Smith was satisfied that, until the foundations were completed, he would not vote any money to go on with the building. That was a very common sense view to take. He hoped the right hon. Gentleman would insist on rapid progress being made.

MR. HOWELL (Bethnal Green, N.E.) said, that he had been a Member of the Committee, and had taken an active part in the discussions, and the late Secretary to the Treasury was right when he said that the Committee was nearly unanimous. It had not, however, been so nearly unanimous as the right hon. Gentleman the Chancellor of the Exchequer had stated. Some of them were strongly averse to patching up the old Admiralty buildings, and he would remind the Committee that he had pointed out at the time precisely the difficulties that would happen, and the delays that would occur, and that the Estimates that would be put before the House would be inadequate for the purpose. It seemed to him that on these matters the last man whose opinion was taken was the man who had a practical knowledge of the subject. Such a man knew too well the danger and difficulty of tampering with an old building. He did not agree with those who suggested that the building, the plans of which were placed before the Committee would have been inadequate, and would not have been a great improvement in the arrangement which was subsequently made. He held then, and he held now, that the building put before the Committee could have been constructed easily, and could have been constructed at less cost than the building they were renovating, and it could have been built not in 12 years, but in four or five. He found in his experience that it was much more easy to construct a new building than to make a new one out of an old one, and it was easier, too, to estimate when it would be completed. They could gauge pretty accurately the time it would take to construct a new building, but they would never tell when an old building that had to be patched up and renovated would be completed. If the plans and estimates put before the Committee had been adopted, they would have had a magnificent pile of buildings worthy of the Admiralty with an entrance in the Park, and by this time, he ventured to say, they would have been near completion, provided the money had been forthcoming. There was no reason why the operations which had been entered upon should not proceed rapidly, if the foundations were good.

MR. A. C. MORTON said, the Estimate had been increased more than 50 per cent., and he wished to know to what circumstances that was due? It was all very well for the Chancellor of the Exchequer to talk about economy. They were told when the holidays were commenced that they would cost one sum, and it was now clear that they were to cost another sum. The money of the country was being frittered away; therefore, it was clear there could be no economising. Was there any reason why the original estimate of £95,000 had been increased to £300,000?

SIR M. RIDLEY (Lancashire, N., Blackpool) wished to know why the original plans had been departed from by which a brick building faced with stone—in the style of the old Admiralty Offices—was to be constructed? The new building was of stone with brick in the interstices.

\*MR. SHAW-LEFEVRE said, he did not think there had been any deviation from the plans placed before the House of Commons in the Library. The Committee of 1887 had selected a somewhat plainer building and one more in accordance with the style of the old Admiralty building, but the building ultimately designed, the plans of which had been on view in the Library, was that which had now been commenced. The hon. Member for Peterborough (Mr. Morton) asked why the expenditure had been so much higher than the Estimate. That was due, first, to the fact that the foundations had cost £30,000 or £40,000 more than had been estimated; secondly, to the cost of building having increased in the interval, thirdly, to the building covering a greater extent of ground than was anticipated, and projecting about 35ft. further into the park; and, fourthly, to the increase in the accommodation it was proposed to provide. It was originally intended that the building should be devoted to the accommodation of clerks only; but the original design in that respect had been departed from, and it was now intended that the principal officers should be removed from the Admiralty to the new block. The provision of accommodation for the superior officials rendered it necessary to have a number of smaller rooms than were required for the clerks, with more expensive fittings. The hon. Member

for St. Pancras (Sir Julian Goldsmid) seemed to think that the foundations might be made for the new block, but that was impossible. If it had been possible it would have been done; but it was not possible, because the clerks were located in the block of buildings at present occupying the ground. In the first place, they must complete the new block; they must then remove the clerks; and, finally, they must begin the foundations of the second block. He had gone carefully into the subject, and should be glad to expedite the work; but, so far as he could see, it would not be completed in a less time than he had stated.

MR. FORWOOD said, the second block could be commenced if temporary accommodation were found for the clerks. In this way, instead of having to wait seven years, the work could be done in four or five, and economy would be effected, inasmuch as it would prevent a large amount of capital lying dormant.

\*MR. SHAW-LEFEVRE said, that would have been an extremely good arrangement if carried out originally when the building was commenced. If the building had been erected in one block instead of two, the arrangement would have been beneficial and economical. That, in his opinion, ought to have been done five years ago; but they had been proceeding five years on an opposite plan, and inasmuch as the first block would be completed in 18 months or two years, he did not think it would now be economical to turn the clerks out into temporary quarters.

\*SIR J. GOLDSMID asked how many clerks were at present accommodated in the old building?

\*MR. SHAW-LEFEVRE said, that about 250 clerks occupied quarters in Spring Gardens. It would be difficult to find adequate accommodation for so many within reach of the Admiralty.

Vote agreed to.

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £48,719, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1894, for expenditure in respect of miscellaneous legal buildings, namely, County Courts, Metropolitan Police Courts, and Sheriff Court Houses, Scotland."

MR. LABOUCHERE said, there were always a number of foolish electors in the country who estimated the service of their Representatives by the number of Divisions they took part in. If their Members sat through a whole Sitting without taking a Division they considered them deficient in zeal, and for that reason, and to relieve his conscience, he proposed to move an Amendment, and take a vote. He had in several Parliaments moved to reduce this Vote, and he had always been defeated, but probably he might be more successful now. Hon. Gentlemen might be aware that outside the Metropolis the Police Courts were maintained by the localities.

MR. A. C. MORTON: I rise to Order. I desire to have some information on a subject which stands before the Police Courts.

THE CHAIRMAN: The hon. Member for Northampton is in possession of the Committee.

MR. LABOUCHERE: I think the hon. Member will be able to ask for the information he seeks later on.

MR. A. C. MORTON: Shall I be able to do so?

THE CHAIRMAN: It will be impossible to go back to a previous item. If the hon. Member desires to move an Amendment to an earlier item it is open for him to do so now.

MR. LABOUCHERE: The hon. Member has no Amendment.

MR. A. C. MORTON: I do not desire to move an Amendment. I simply wish to ask a question.

MR. JAMES LOWTHER: If the hon. Member for Peterborough wishes to raise any question earlier in the Estimate he should do so by moving a reduction before the item for Police Courts is discussed.

THE CHAIRMAN: As I have said, if the hon. Member for Peterborough wishes to discuss or move the reduction of any earlier item, he must do so before the item objected to by the hon. Member for Northampton is discussed.

MR. A. C. MORTON said, that he might have to move an Amendment, but he wished, first, to know whether he was on the right tack? He wanted to know why there was an increase of £7,645 expenditure on County Court buildings over the Vote of last year?

MR. SHAW-LEFEVRE said, that the Vote was increased by the sum of £9,250 for the erection of new County Courts.

MR. A. C. MORTON said, it appeared to him that the right hon. Gentleman did not know very much about the matter. There was great extravagance in the management of the County Courts. On this item and other small items there was extravagance and loss of money. Where the Municipal Authorities had the management of these Courts, as they had in the City of London, instead of having a loss, they made a considerable profit every year. He would not prevent the hon. Member for Northampton from going on with his Motion; but unless the Government found out a more economical method of keeping up the Courts, he should move a reduction.

MR. LABOUCHERE said, that the Police Courts all over the country were maintained by the particular localities, but in London the cost was all thrown on the Imperial Treasury. He had always contended that that was a very great injustice, and the answer he received when raising objection was that London did not control its own police. He was in favour of giving London that control, and he never yet could understand how the fact that London had no such control was an answer to the complaint raised by hon. Members who represented provincial localities that while they paid for their own Police Courts Londoners did not. It was said that a certain amount ought to be paid out of the Imperial Exchequer for the Bow Street Police Court, because in that Court extradition cases were decided. Well, if they were only called on to pay a certain sum for that Court, there would be some reason in it; but, as a matter of fact, they had to pay for Woolwich, Greenwich, Gravesend, and other places, and had to find fuel, light, water, &c. He would move to reduce the Vote by the sum of £6,000.

Motion made, and Question proposed, "That a sum, not exceeding £42,719, be granted for the said Service."—(*Mr. Labouchere.*)

MR. BARTLEY (Islington, N.) said, he was always very glad when he could support the hon. Member for Northampton. For the past five or six years he had always supported the hon. Member's

contention that London should support its own Police Courts, and could not see on what ground they were included in the general expenditure of the country; and if the hon. Member went to a Division, he would vote with him. The Vote had been reduced from £12,000 to £7,000, chiefly on account of reduction in the building item. Still, it was a substantial grievance, and they should go a step farther and make the whole cost fall on the localities.

SIR W. HARCOURT: In a Bill which I brought forward I did take these charges off the Imperial Exchequer and put them upon the Municipal Exchequer of London, and I admit that there is a good deal of anomaly in the way in which these charges are treated in London as compared with other towns. I hope the House will not disallow the Vote this year, as in that case there will be nobody to take charge of the buildings. All I can say is, that I will use all the pressure I can to induce the County Council to undertake the charge of these buildings. Before we take the extreme step of refusing to vote this money, we should make some arrangement with the County Council, or some Body else, to undertake the burden.

MR. LABOUCHERE said, that no doubt there was great difficulty in the way of putting pressure on the Government in Committee of Supply; for though they struck out an item in Committee, the Government would put it back on Report. In view of the declaration which had just been made by the Chancellor of the Exchequer to the effect that he would look into the matter, and of the attitude which had been taken up by a London Member, he would not press the matter to a Division.

MR. BARTLEY was not at all satisfied with the hon. Gentleman's concurrence with the Front Bench. They had heard this promise before. [*Mr. Labouchere: Never.*] Yes; and he thought the hon. Member did not display the courage of his convictions which he usually did. He thought they ought to divide on the Amendment. Certainly, for his own part, he should challenge a Division when the Question was put.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Chancellor of the Exchequer.*)

\*SIR J. LUBBOCK (London University) wished to say that the question which had just been raised was a large one, and people in London considered that in the allocation of the local grants they had received less than their fair share.

Question put, and agreed to.

Resolutions to be reported upon Monday next.

Committee also report Progress; to sit again To-morrow.

CUSTOMS AND INLAND REVENUE  
BILL.—(No. 118.)

THIRD READING.

Order for Third Reading read.

SIR W. HARCOURT: I undertook that, on the Third Reading, I would re-commit this Bill with reference to Clause 5 in order to meet some objections which have been taken to it. On consulting the authorities, I find that there is some objection to inserting a new clause now, and I shall, therefore, confine myself at present to omitting Clause 5. I move that the Bill be re-committed with reference to Clause 5.

Motion made, and Question proposed, "That the Bill be re-committed in respect of Clause 5."—(*Mr. Chancellor of the Exchequer.*)

Question put, and agreed to.

Bill considered in Committee.

(In the Committee.)

Motion made, and Question proposed, "That Clause 5 be omitted."—(*Mr. Chancellor of the Exchequer.*)

MR. BRODIE HOARE (Hampstead) thanked the Chancellor of the Exchequer for the courteous way in which he had met his objection respecting Clause 5, and expressed his regret that the Forms of the House would not permit the right hon. Gentleman to move the new clause now.

Question put, and agreed to.

Bill reported; as amended, considered.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Chancellor of the Exchequer.*)

MR. BARTLEY asked the Chancellor of the Exchequer to consider during the coming year whether he could not do away with Schedule B altogether, and throw the whole of the Schedule into Schedule D? This would tend very largely to simplify the Income Tax, and would be a step in the direction of the re-arrangement which everyone desired.

SIR W. HARCOURT: I think that is a suggestion which is well worthy of consideration.

COLONEL BRIDGEMAN (Bolton) said, it was rather disturbing to hear the Chancellor of the Exchequer say that there had been no equalisation of the Death Duties, because hon. Members had understood from the late Chancellor of the Exchequer in 1888 that an equalisation had been carried out by him under the Budget of that year.

MR. JEFFREYS said, that, speaking as an agriculturist, he should very much object to the abolition of Schedule B, because, although it might be all very well in these bad times that agriculturists should make their returns under Schedule D, he thought that in the good times, which he hoped would come back again eventually, it was very advantageous to the farmer to make his return under Schedule B.

COMMANDER BETHELL (York, E.R., Holderness) asked whether the Chancellor of the Exchequer would look into a question respecting the assessment of the Land Tax? Some communications had passed between the late Chancellor of the Exchequer and himself with reference to certain parishes on the east coast of England that had had their area reduced by nearly one-half owing to the washing away of parts of them by the sea. The Land Tax was still charged on the old area. The Dissolution came before the late Chancellor of the Exchequer could settle the matter, and he trusted that the present Chancellor of the Exchequer would be able to set it right. As usual, it was said that there was a technical difficulty in the way of altering the assessment. Of course, that was all stuff, and there was nothing of the kind.

SIR W. HARCOURT: I will promise the hon. and gallant Member, now that I have got rid of the Budget, to look into the correspondence.

\*SIR R. TEMPLE said, he desired to express, on behalf of a large class of his constituents, their great regret and disappointment that the deficit had been made good by a summary increase of the Income Tax, and that the Chancellor of the Exchequer had thus trenched in time of peace upon that which should be looked upon as a reserve for time of war. During the period of office of the late Chancellor of the Exchequer two reductions of the Income Tax had taken place, and the payers of the tax naturally made a very unfavourable comparison in that respect between the present Budget and those of the late Chancellor of the Exchequer.

MR. POWELL WILLIAMS (Birmingham, S.) said, that three years ago evidence was given before the Town Holdings Committee respecting the fact that the Income Tax was not collected on premiums upon houses. The evidence showed that such premiums were simply rent paid down instead of deferred, and that such premiums ought to be subject to Income Tax just as much as annual rent was. The system of demanding premiums for the letting of houses was said to prevail extensively in London, and it was, therefore, very clear that a large number of metropolitan landlords were not subject to Income Tax which they ought really to pay. That seemed to him to be a matter worthy of the Chancellor of the Exchequer's attention.

Question put, and agreed to.

Bill read the third time, and passed.

#### RATING OF MACHINERY BILL.—(No. 1.) COMMITTEE.

Order for Committee read.

MR. HOLLAND (Salford, N.) moved that the Order for going into Committee be discharged, and that the Bill be referred to the Standing Committee on Trade.

Motion made, and Question proposed, "That the Order for Committee be discharged, and that the Bill be committed to the Standing Committee on Trade."—(Mr. Holland.)

MR. S. EVANS (Glamorgan, Mid) expressed a hope that the hon. Member would not press his Motion. There

were a great many reasons against having the Bill referred to the Standing Committee. It had been understood for a long time that Standing Committees were only intended for dealing with Government Bills. Certain exceptions had been made to this rule, but only with reference to Bills about which the House was practically unanimous and which had the concurrence of the Government. The present measure was one which ought to be dealt with by a Committee of the full House. It was pretty certain that if the Bill were referred to the Standing Committee on Trade only those who were interested in the exemption of machinery from rating would attend that Committee.

It being ten minutes to Seven of the clock, the Debate stood adjourned.

Debate to be resumed upon Friday, 2nd June.

#### CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS.

Resolved, That all Bills of the present Session to confirm Provisional Orders made by the Board of Trade, under "The Railway and Canal Traffic Act, 1888," containing the Classification of Merchandise Traffic and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, be referred to a Joint Committee of Lords and Commons.

Ordered, That a Message be sent to the Lords to communicate this Resolution and desire their concurrence.—(Mr. Burt.)

#### TRAMWAYS PROVISIONAL ORDERS BILL.

On Motion of Mr. Burt, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The Tramways Act, 1870," relating to Blackpool Corporation Tramways, Manchester Corporation Tramways, and Plymouth Corporation Tramways, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 336.]

#### WATER PROVISIONAL ORDERS (NO. 1) BILL.

On Motion of Mr. Burt, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The Gas and Waterworks Facilities Act, 1870," relating to Hoylake and West Kirby Water Pocklington Water, Poole Water, and South West Suburban Water, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 337.]

#### WATER PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. Burt, Bill to confirm certain Provisional Orders made by the Board of Trade,

under "The Gas and Waterworks Facilities Act, 1870," relating to Llandrindod Wells Water, Maidenhead Water, and Newington Water, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 338.]

#### RAILWAY RATES AND CHARGES PROVISIONAL ORDER [CRANBROOK AND PADDOCK WOOD RAILWAY, &c.] BILL.

On Motion of Mr. Burt, Bill to confirm a Provisional Order made by the Board of Trade, under "The Railway and Canal Traffic Act, 1888," relating to the Classification of Merchandise Traffic and the Schedule of Maximum Rates and Charges applicable thereto of the Cranbrook and Paddock Wood Railway Company, the Glyn Valley Tramway Company, the Manchester Ship Canal Company, in respect of the railways of the said Company, and the Stratford-upon-Avon, Towcester, and Midland Junction Railway Company, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 339.]

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 10) BILL.

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board for forming the Brighouse, Guildford and Godalming, and Luddenden Joint Hospital Districts, the Clayton-le-Moors and Great Harwood Joint Sewerage District, and the Whitchurch Joint Cemetery District, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 340.]

#### STATUTE LAW REVISION BILLS.

So much of the Lords Message [4th May] as relates to the reference of the Copyhold (Consolidation) Bill to the Joint Committee on Statute Law Revision Bills read, and considered.

Resolved, That this House doth concur with the Lords in the said Resolution.

Message to the Lords to acquaint them therewith.

#### POST OFFICE (ACQUISITION OF SITES) BILL.

Lords Amendments to be considered forthwith; considered, and agreed to.

#### ORDERS OF THE DAY.

##### EVENING SITTING.

##### SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That the Speaker do now leave the Chair."

#### APPOINTMENT OF COUNTY MAGISTRATES.

##### RESOLUTION.

\*SIR CHARLES W. DILKE (Gloucester, Forest of Dean) rose to call attention to the appointment of Justices of the Peace, and to move—

"That, in the opinion of this House, it is expedient that the appointment of County Magistrates should no longer be made by the Lords Chancellor of Great Britain and Ireland for the time being only on the recommendation of the Lords Lieutenant."

He stated that he should make his remarks as brief as he could, as his hon. Friends were anxious to obtain the decision of the House. The present custom of the appointment of Magistrates was that the Lords Lieutenant nominated, but there was a custom within the custom by which the Lords Lieutenant generally consulted the local Bench. That custom did not rest on law. The Chancellor could change it, and could himself appoint without the nomination of the Lords Lieutenant. The effect of the custom was to confine the Bench in many counties to a select group of friends. A Derbyshire antiquary, a friend of his, had informed him that successive Dukes of Devonshire, acting as Lords Lieutenant of Derbyshire, had wished to appoint millers, maltsters, persons of other classes than those now almost exclusively represented, and had been met by the County Bench with the statement that, while the candidates were admirably qualified in every other respect, their social position was such that it was unwise to bring them on to the Bench; and successive Dukes of Devonshire, from the middle of the last century to early in the present century, were shown by their letters to have yielded to such representations. He feared that this concession to the local feeling of a select class still continued. The present Chancellor was a moderate man; and in receiving a deputation upon this subject, he had lately stated that the "constitution of the Bench" in many counties was "extremely unsatisfactory" and "prejudicial to the public interest." Lords Lieutenant, he had pointed out, were, he feared, often "too much in the hands of the local Bench;" and the present system in many counties was virtually one of co-optation subject to "political proclivities." The Chancellor asked for a Resolution of the repre-



representative House, in order that his hands might be strengthened in advising Lords Lieutenant to open the doors wider. The Chancellor could, of course, not only appoint from the present time without any change of law, but he could clear the existing Bench. He could advise the issue of new commissions and the discharge of all not included in them. But he would not take that course. He had, in fact, not been even asked to take it. The Chancellor was not only himself a moderate man, but he was right in his moderation under the circumstances of the case. How stood the facts? A great distinction must be drawn between the County of London and other counties of England and Wales and Scotland. He could not speak of Ireland, because the Magistrates in Ireland possessed far fewer powers. London differed greatly from the rest of the country. In parts of London more Magistrates were wanted, but no one cared whether they were Liberal or Conservative. He had been repeatedly concerned in pressing for the appointment of more Magistrates in the parish of Chelsea and in the parish of Fulham, because there were too few, who worked, to get through the work at present; and those for whom he had been most strongly pressing were persons—such as some of those who had, when he was Chairman of his Board of Guardians, greatly assisted him in the work—who happened to be Conservatives. In the parish of Fulham much difficulty had been found in discharging the work of Magistrates connected with lunacy, through the want of local Magistrates; and the Duke of Westminster had now placed upon the Bench the County Councillors and others, entirely irrespectively of politics, for the purpose of getting through the work. Elsewhere there were enough Magistrates, providing that they were the right men; but, virtually, in large parts of the country, they were only landowners, and of the landowners only those of one Party and one Church. In some counties the Lords Lieutenant admirably discharged their duties; for example, Lord Bath in Wiltshire, to name a member of the Party to which he was himself opposed; but in others the Bench was packed in such a way as to destroy public confidence. In his own division, and the counties which adjoined it—the

rest of the County of Gloucester, the Counties of Worcester and Hereford and Monmouth—the Liberal Party had a considerable majority of electors, but the Bench was 22 to 1 against them. It might be thought that, to use the language of their opponents, what they called the best of the Liberal Party having lately joined the Conservatives, it was through this loss of Liberal Unionists that such results had been brought about. That was not so. The number of Liberal Unionist Magistrates in those counties was very small; and, although some were called Liberal Unionists who had been pretty steady supporters of the Conservative Party long before Home Rule was heard of, yet, giving to the other side every doubtful, the Conservatives were 10 to 1 against the Liberals and Liberal Unionists combined. In the county which he had the honour to represent there were only nine Magistrates who voted Liberal last time, or were likely to on the next occasion, against 267 Magistrates on the other side. Yet the Liberal Party had a considerable majority of the electorate even at the Election of 1892, a majority which would be increased if they counted the recent figures at a bye-election. It might be said that the Liberals had no men who could be placed upon the list. No doubt there were more Conservatives who came up to the standard of the qualification than there were Liberals; but fitting Liberals were not wanting, and he was himself engaged in adding to the Land Tax list the names of Commissioners who possessed the qualification in land in the county who would make admirable members of the County Bench. One, for example, was a Baptist minister, held in the highest respect throughout the country, who was not on the Bench, although admirably qualified, simply because it was not the custom to place Nonconformist ministers upon it. Another was a large landowner, a man of business, who had bought one of the finest places in the county, and who, if he had happened to be an opponent of the present Government, would have been placed upon the Bench the day he bought it. Others were managers of great works who had bought land in the district. Another was a Radical farmer of great authority in the agricultural classes, and one of the

most progressive farmers in the county ; and, in addition, there were considerable numbers of traders in the towns, such as timber merchants, auctioneers, and others, who would be well fitted for the post, and whose appointment would command local confidence. In the next county to that which he represented there was a County Alderman who had been twice elected to that honourable post by a unanimous vote, but who, although an old resident in the county, had not been placed upon the Bench, for no apparent reason except that he was a Liberal and a Nonconformist. He would mention any of the names privately to any Member of the House on either side, but he did not like to cause annoyance to anyone by giving names in his speech. He did not wish to say a word against the existing Magistrates. No one who had long sat, as he had sat, on Local Bodies, both as an *ex officio* member and as an elective member along with *ex officio* members, would depreciate the services of the existing Magistrates to the community. If they had no other title to the respect of their fellow-subjects except the work they did in lunacy—the most dangerous, and, with the exception of the work in imbecility cases done by the Chairmen of Boards of Guardians, the most unpleasant of all local government work—these services were a sufficient title to commendation. He mentioned lunacy, because it was not only trying work, but it was the only work connected with local government which he himself had never done, he having been relieved of it by some of his colleagues, to whom he desired to pay all honour. Such dissatisfaction as existed was chiefly reasonable, so far as it concerned certain limited, but yet important, branches of the duties of Magistrates. There was reasonable dissatisfaction with regard to the political use at present made of the power to nominate to the Bench. There was also reasonable dissatisfaction with regard to a part of the Petty Sessional jurisdiction, which had been lately increased by the Summary Jurisdiction Act of 1879. The cases which caused the most hostility were masters' and servants' cases, poaching cases, public-house licences, and the appointment of Overseers, but this last only in some districts. With regard to the political use of the power of nomination, he

would name privately to any hon. Member the cases of two gentlemen who had come at the same time into the same county, neither of whom had previously been known as politicians. They were both men who had made fortunes in business ; they were both men in all respects fit to be on the Bench. One proved to have Conservative leanings, and he was at once placed on the Bench. The other proved to be a supporter of the policy of the present Government, although not a Party Liberal, and he, the owner of the larger property, had not been placed upon the Bench. As regards masters and servants and poaching cases, it was difficult to fully restore public confidence in the administration of the law so long as the qualification was retained, as it was, of course, retained under the present Motion. In districts which were urban, although outside of boroughs, the application of the factory legislation by Benches, which consisted chiefly of masters, led to much complaint. He knew a case, for example, in which a clear charge under one of the Factory Acts was brought against a master who was a member of the Bench, and was heard by only three Magistrates, all three of whom were masters in the same trade. In poaching cases he could name a case where, there being great doubt about the facts, a pheasant had been taken by a gipsy from the property of the Chairman of the Bench, who left the chair while the case was heard, but sat at the side and examined the witnesses, and talked all the while to his brother Magistrates. They were all also game preservers in the same district. As regarded public-house licensing, he could name a case where, the Chairman of the Bench being a brewer, undue regard had been paid to his opinion by his brother members—although he did not, of course, sit at Licensing Sessions—and a licence granted, which was not needed, against an almost unanimous local opinion. The brewer and the great majority of the Bench were Conservative, but so was the Local Board, and so were the majority of the Overseers and Churchwardens ; and yet the Local Board, the Overseers, and Churchwardens had all appeared against the licence. With regard to the appointment of Overseers, there were many districts in which the Magistrates in-

variably accepted the choice of the locality. But there were startling cases the other way. In the case of a parish near Southampton, within three years of the present date, two gentlemen had been elected Overseers on a show of hands at the Parish Vestry as against two others, there being no difference between them except on Party politics. The parish had been polled, and, in spite of the plural vote of property, the same two who had won the show of hands had been returned upon a poll. The matter was taken to the Magistrates, and they struck out the names of the two presented to them by the parish, and appointed the other two who had been twice defeated. In another case, which he could name, the Magistrates having a strong opinion against a publican, of whatever position and of character, however high, acting as Overseer of the Poor, and a parish of 100,000 people having returned two Overseers to them, the name of one of the two was struck out, under a mistaken impression that he was another gentleman, who was, in fact, a very popular publican, whose appointment would have been a very natural one had it, in fact, taken place on that occasion. It might be thought that the Local Government (England) Bill would get rid of this difficulty about the Overseers; but that was not the case, for the provisions with regard to Overseers applied only to some parishes, and all the most important parishes in the country were left by the Bill in their present relations to the Bench of Magistrates with regard to the appointment of Overseers. None of these difficulties could be fully remedied without the abolition of the qualification. But by placing upon the Bench, under the present Resolution, men taken from a somewhat wider field, it would be possible to put on those in whom the workmen would have confidence in masters' and servants' cases in industrial districts; and, with regard to poaching cases, to bring in men in rural districts who would neither be game preservers nor in close social relations with game preservers. As regarded licensing and the appointment of Overseers, the Benches would be more in touch with local opinion. The larger question was not raised by the present Resolution. It concerned only the mode of choice, given the qualification. The

qualification, he feared, was not always observed at present. But breaches of the principle were always upon one side. He knew a case where a gentleman, who had served for the whole of his long life as a Magistrate, had never possessed the qualification, or, at all events, not within the memory of man; and another gentleman had been excluded, who was a Liberal, although his qualification was a better one, and although he represented the oldest family in the district, and lived on the land which his ancestors had owned since the 14th century. He thought that his hon. Friend the Member for Rossendale (Mr. Maden) could name a case which was as startling. Under the Resolution, the qualification remaining, the County Bench would still in most cases be Conservative. The vast preponderance, he admitted, of those who were likely to be placed upon it in rural districts were Conservatives. Those eligible would still be chiefly county gentlemen, and he did not pretend to deny that the great majority of county gentlemen were Conservatives. His speech had been but brief, because, as he had begun by saying, the case must essentially remain there where in his careful speech the present very moderate Lord Chancellor had put it. But his short speech was intended to secure that the opinion of the House should be pronounced upon their Resolution, and he made no doubt but that the House would carry it.

\*MR. A. C. MORTON seconded the Resolution with great satisfaction, and was glad that it applied to Ireland as well as to England, Scotland, and Wales. But he regretted that there should have been any necessity for the Resolution at all. The question was purely one of administration, and all that they were asking was that the Government should carry out the law. The Statute of Henry VIII. states distinctly that the King should appoint the Magistrates; and however convenient it might have been to hand over that duty to the Lords Lieutenant, and however long that custom might have been in use, it was irregular, illegal, and had been most unfortunate in its application. The expression "the king" now meant the Crown as advised by the Lord Chancellor, and he had no hesitation in saying that

*Sir Charles W. Dilke*

the Crown had no right to shirk or to hand over to Lords Lieutenant or anyone else the duty confided to it by an Act of Parliament. He could not, and did not, object to the Crown getting whatever assistance it could in selecting Magistrates from either Lords Lieutenant or any other persons who might have local knowledge of the persons who might be nominated. This Resolution, and the representations that had been made to the Lord Chancellor, was not so much an attack upon Lords Lieutenant as an insistence upon the right of the Crown to appoint County Magistrates without the intervention of anyone. At the present moment practically the Lords Lieutenant appointed these Magistrates; and the Crown, notwithstanding the Act of Parliament to the contrary, merely did what the Lords Lieutenant allowed it to do; and the Lords Lieutenant illegally actually claim the right to appoint Magistrates. These were the facts of the present state of things, and the position of the Crown in the matter was both absurd and ridiculous. Well, he was sure that he was right in asserting that Magistrates should represent, and be taken from, all classes of the people. What had been the result of this unfortunate custom which had grown up, and which the Lord Chancellor desired the assistance of the Resolution to remove? The result had been that we found the Magistrates nearly all selected from one class or political Party and one creed or sect. He had no time now to give the figures to the House, but he was within the mark in saying that more than 90 per cent. of the present County Magistrates belonged to the Party opposing—the Liberal and Radical Party—which in this country represent progress and civil and religious liberty to all classes and sects. A very large amount of information had been sent to him, showing how unfair the constitution of the present country Benches was. He could only to-night say that it conclusively showed that at the present time they had a state of things which was intolerable in a free country. Though he did not wish unduly to occupy the time of the House, he supposed he ought to state how this matter affected the constituency he represented. In the County of Peterborough there were 42

Magistrates, and only one was a Liberal. They had sent the Lord Lieutenant a list of eligible gentlemen. They did not ask for 41 Magistrates so as to make themselves equal with the Conservatives; all they asked was that 10 fully-qualified persons should be appointed, and the Lord Lieutenant refused to nominate one of them. He hoped the Tory Party would have the good sense to accept the Resolution, which was a very moderate one. They did not wish to make these appointments political; they desired to put a stop to the present practice and to allow all parties to be represented. He could not at that time refer to the appointment and qualification of Magistrates, but he preferred that Magistrates should be elected by the people, and 700 years' experience supported that view. The City of London had produced the best Bench of Magistrates in the country, and the only Bench about which no complaints had been made in that House. The City Magistrates were elected by exactly the same constituencies as the Common Council, and by the Ballot. He had noticed that queer abuses existed in towns. A trader on one side of the street was appointed a Magistrate because he was a Tory. A trader on the other side of the street, though perhaps in a much better position, was rejected if he happened to be a Liberal, or, worse still, a Nonconformist. He claimed for all parties and all sects, and especially for the industrial classes, the right to be represented on the Magisterial Bench, and was confident that the more democratic they made the Bench the better and purer it would be.

#### Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that the appointment of County Magistrates should no longer be made by the Lords Chancellor of Great Britain and Ireland for the time being only on the recommendation of the Lords Lieutenant,"—(*Sir Charles W. Dilke*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR J. DORINGTON (Gloucester, Tewkesbury), who had the following Amendment on the Paper, but was precluded from moving, to omit from the

Resolution all the words after "House," in order to insert—

"The present system of appointing County Justices has worked to the advantage of the country, and has created a body of men whose decisions have been recognised as just and impartial by all classes,"

said the Motion of the right hon. Baronet the Member for the Forest of Dean left matters, with regard to the appointment of Magistrates, very much as they were, because the Lord Chancellor at the present time had the right to rectify the evils he might find in the appointments made by the Lords Lieutenant. Of course, there should be a strong case before the Lord Chancellor acted over the head of the Lord Lieutenant, and no doubt the object of the Resolution was to induce the Lord Chancellor to exercise that power more freely. He ventured to say that if the Lord Chancellor acted as the right hon. Baronet proposed, it was bound to be the death of the present system of appointing Magistrates. That system had worked well, and very much better than any system which was likely to be introduced. He had for a long time been connected with county affairs in Gloucestershire, and had there been any real dissatisfaction with regard to the composition of the County Bench, he would have heard it before last November, when this agitation began. He believed it to be a mechanical agitation, not founded on any real grievance. It was said there were too many Magistrates who did not hold the political opinions of hon. Gentlemen opposite. But what had political opinion to do with the Magistracy? Ever since he had been head of the Magistrates of Gloucestershire the Magistrates had never regarded themselves as a political body, and in the choice of persons to fill important public offices they had paid no regard to politics. Largely Conservative as the county was, at all events in the Magistracy and among the upper classes, his immediate predecessor in the office he held was a Radical, who had sat in that House as a supporter of the right hon. Gentleman the Member for Midlothian. He was elected by the free vote of the Magistrates, not because he was a Radical, but because they believed he was a man fit to fill the post; and when he succeeded

that gentleman he was elected, not because he was a Tory, but because it was thought he was suited for the place. His lieutenants had been drawn regardless of their politics, and that represented the really healthy condition of a Bench. The House was now asked to create a Bench which should be essentially partisan, the members of which would be appointed by the different parties because they were their own supporters. All ideas of fairness and justice would thus be removed; and the Bench, which ought to be perfectly pure and free from all political considerations, would immediately become a scene of faction, and certainly would not have the same tone of honour as that which it displaced. It was not altogether unknown to the House how, in former days, politics affected the judicial decisions of the House. At one time Election Petitions were tried by vote of the House. Subsequently a scheme for the trial of the Petitions was adopted, under which it was hoped, that Party feeling would be eliminated; but it was equally unsuccessful. In 1868 the House came to the conclusion that it was too much animated by Party spirit to discharge judicial functions, and it transferred these functions to hands to which no motive of Party could properly attach. That was the position of the County Magistrates at the present time—they could not be suspected of Party feeling. He had some reason to say that, because in his own county the Lord Lieutenant was not of his own political opinions, though the Home Secretary had repudiated him as belonging to his Party. The Lord Lieutenant of Gloucestershire considered himself as attached to the Liberal Party and his son had sat for a long time in the House as a supporter of the Liberal Party. At the present time, no doubt, he and the Lord Lieutenant were on the same side in politics. [*Ministerial laughter.*] Hon. Members opposite were entirely wrong if they thought the appointments of the great mass of the Magistrates of Gloucestershire were due to political predilections. The majority of them, it was true, belonged to the Conservative Party, but they had been appointed by a Liberal Lord Lieutenant because he had thought them the men best fitted to administer justice. [*Cries of "Oh!"*] He main-

*Sir J. Dorrington*

tained, despite the jeers of hon. Members opposite, that, as far as his own experience went, County Magistrates had always been appointed on account of their fitness. He believed that if the appointments to the County Bench were placed in the hands of gentlemen who had not the responsibility which now attached to the Lord Lieutenant the same state of things would prevail on that Bench that now existed on the Borough Benches, and the appointments would be purely political. The late Lord Chancellor was most anxious that all the appointments to the County Bench should be absolutely independent of politics. Undoubtedly in his own county Lord Halsbury's appointments had been equally balanced, the Justices being selected from both Parties. The Chancellor of the Duchy prided himself upon putting things right, and had put an immense number of Radicals upon the County Bench. If hon. Members opposite made the change suggested, that would involve the abolition of the existing system, and such a change would be a fatal one. He hoped that the House of Commons, jealous as it was of the good name of the country, would not act hurriedly in this matter, nor after a three hours' Debate pass such a Resolution as this, which would give the appointment of County Magistrates to the Lord Chancellor, who could not be as well qualified as the Lord Lieutenant to judge of the fitness of the gentlemen appointed, and which would undoubtedly lead to the tainting of the County Bench with political partisanship.

\*MR. J. WILSON (Lanark, Govan) said, that in Scotland they could not say that either a man's position or his religious faith were a disqualification for the office of a Justice of the Peace; but, all the same, it was rather a strange thing that three-fourths of the Magistrates were Tories and Unionists. In his own Division, which had a population of 63,000, there were four Resident Justices of the Peace, of whom three were Tories and one, who had been a Unionist, was now a Liberal. Two of these four Magistrates were absent in Glasgow all the day attending to their private business, and, therefore, not available in Govan. He had called the attention of the Lord Lieutenant of Lanark to the want of

Magistrates in the county; and as the same state of things prevailed throughout Scotland, he hoped the Lords Lieutenant of all the counties in that country would bestir themselves. He was glad the matter had been brought before the House, and he should support the Motion of the right hon. Baronet.

\*MR. WHARTON (York, W.R., Ripon) said, that this Motion, if it meant anything, meant an attack upon the Lords Lieutenant of the country for the manner in which they had appointed the County Justices. He had probably as large an acquaintance with this question as any hon. Member in the House. He had been Chairman of Quarter Sessions in his county for 22 years, and had dealings with three different Lords Lieutenant. The county for which he had been elected Chairman of Quarter Sessions was the most Radical county in England, and he thought that that incident might be taken as a good sign that politics were not the motive power in the appointment of the Magistrates of the county. His experience in that county convinced him that the present system was the very best that could be pursued. When additional Magistrates were required the Chairman of the Quarter Sessions represented the matter to the Lord Lieutenant, who made appointments to the Bench with the utmost impartiality, as far as politics were concerned. [*Ironical cheers and laughter.*] Perhaps hon. Members opposite could not think that it was possible to make appointments without being influenced by political bias. All he could say was that the most fit persons were appointed. There was a very large number of Magistrates in the county with whose politics he had no acquaintance whatever. But what was suggested now? That instead of the appointments being made by the Lords Lieutenant, who had made them impartially, they were to be made in future by the Lord Chancellor for political considerations. Would hon. Members opposite deny that the appointments by the Lord Chancellor in the boroughs had not been political appointments? They were political appointments. By whatever side in politics the appointments in boroughs were made they were always political appointments, and it would be an evil day for England if

political appointments were made on the same scale in the counties. Did hon. Members opposite intend that these appointments should partake of a political character in the future? Had not the present Lord Chancellor made political appointments to the Bench? The late Lord Chancellor had done his best to keep a fair balance in making these appointments. Before the late Government left Office he was urged to send up the names of several gentlemen of his own political colour to the Lord Chancellor to be made Magistrates; but he refused, partly on his own account and partly because he had always found that Lord Halsbury had been determined to keep a fair balance between the two Parties. The very last appointments made by Lord Halsbury were made in Harrogate. One of the gentlemen appointed was a Conservative, one had been a Liberal, but what his politics now were he did not know, and three were out-and-out Radicals. But what was the state of things under the present Lord Chancellor? The other day Lord Herschell had appointed four Radicals to the Bench at Ripon without appointing a single Conservative or Liberal Unionist. Were those appointments fair? At Leeds, again, where there was a Bench of 63 Magistrates, the noble Lord had appointed 11 Radicals and only two Conservatives to the Bench, neither of the latter being asked as to their willingness to serve, and one of whom had previously declined to accept the appointment. Was this what they had to expect in the future? Lord Herschell was invited to follow the example of the Chancellor of the Duchy of Lancaster; but if that example were followed by future Lord Chancellors he was sorry for the name and fame of England. He declared, without fear of contradiction, that the Benches appointed by the Lords Lieutenant had done their work well in the past; and if the old system were to be abolished, and if the appointments were to be made political, the result would be that Stipendiary Magistrates would have to be appointed at an enormous cost to the country. [*Ministerial Cheers.*] He was sorry to hear that cheered by hon. Gentlemen opposite; but then the policy of the Radical Government was a policy of extravagance and expense. He

*Mr. Wharton*

hoped that the Motion would be rejected, and that the Benches of England would continue to be nominated in the same way as heretofore.

\*Mr. HERBERT LEWIS (Flint Boroughs) said, he desired to make a few remarks with regard to the County Benches in Wales, and particularly his own county of Flintshire. Whatever the last speaker might have thought would be the results in England of a change in the method of appointing Magistrates, he could assure the House that they could not be worse than under the present system in Wales. Wales suffered far more keenly and far more unjustly in this respect than England. In England, at all events, the Magistrates, whatever their politics might be, and the people, belonged to the same race and spoke the same language; but in Wales, unfortunately, Magistrates belonged to one race and the people to another. The Magistrates spoke one language; and, speaking broadly and generally, the people used another language; and he was afraid that the Magistrates seldom or never took the trouble to acquire the language of those to whom they were expected to dispense justice. An Anglo-Indian Magistrate was obliged to know the language of the people to whom he dispensed justice; but in Wales it was too often the case that the Magistrates took pride in being ignorant of the language of the people. He considered that every nation had an inherent right to have justice administered to it in its own language, but, so far as Wales was concerned, all they asked for was that a due proportion of the Magistrates should be able to speak the language of the people. Previous speakers had alluded to the disqualification under which Nonconformists laboured under the existing system of appointing Magistrates. In Wales the preponderance of Nonconformists was enormous, and yet nearly all the Magistrates belonged to the Established Church. Then, with regard to the political grievance which had been spoken of in England, he could assure the House that that grievance was intensified in Wales. Wales was Liberal to the backbone, but the Magistracy was just as Conservative as Wales was Liberal. To give an illus-

tration respecting one political question. The great majority of the inhabitants of Wales were strongly opposed to the present licensing system; but in that House, a few days ago, only one Member from Wales ventured to vote against the Welsh Local Veto Bill introduced by the Member for the Carmarthen Boroughs. On that subject, the Magistracy were in favour of the existing licensing system, and were entirely opposed to the wishes of the people. The Magistracy in the County of Flint was alien—he used the word in no offensive sense—in race, language, religion, and politics. Although Flintshire was a border county, two-thirds of the population spoke Welsh, but out of 90 Magistrates in Flintshire only 15 spoke the Welsh language, and there were only eight supporters of the present Government. The hon. Member for the Southport Division waxed indignant the other night as to the composition of the Southport Bench; but accepting the figures of the hon. Member, if it was wrong that there should be a small Liberal majority on the Bench at Southport, was it right that there should be an enormous Tory majority on the Bench in Flintshire? Up to six years ago there was not a single Nonconformist Magistrate in Flintshire. A number of names had been submitted to the Lord Lieutenant of Nonconformists who had spent all their lives in the county, and were a hundred times better qualified than the strangers and squirelings who had been pitchforked on to the Bench, but the Lord Lieutenant absolutely refused to appoint them. This question was raised in 1887, and the only reply by the then Home Secretary was that there was no qualified Nonconformist. He could find no Parliamentary language whatever to characterise that statement. He could only say there were plenty of Nonconformists qualified for that position. But at last one Conservative Nonconformist was found, and he was forthwith appointed, although he had only resided in a seaside resort in the county for a short time, and had done, so far as he was aware, absolutely nothing for the county, and a short time after his appointment he left the county. The next Nonconformist put on the County Bench was himself; but he need not say it was not by the favour

of the Lord Lieutenant, but because he was Chairman of the County Council. At the present time, five Nonconformists out of 93 Magistrates were on the County Bench. That was an object lesson of how Nonconformity was tolerated in Wales that the House would do well to remember. He did not assume for a moment that Nonconformity or Liberalism, as such, had any right whatever to be represented on the Bench; but he said that Liberalism and Nonconformity ought not to be made a disqualification. The County Council comprised men of every shade of opinion belonging to all sects, parties, and creeds, and it had this question before it on two occasions. On the first occasion it condemned the existing system of appointment with one dissentient only. In September last the matter again came up, and on that occasion the system was condemned without a single dissentient voice. It would be quite impossible for him to lay before the House a more conclusive argument, so far as Flintshire was concerned, than the one he had put before them. He came to Parliament with a mandate from the County Council and from the constituency he represented to speak upon that question; and he asked the House, in the name of a country which had long and patiently—too long and too patiently—tolerated many grievances such as the one he had described, to pass his Resolution.

MR. DILLON (Mayo, E.): The House will not be surprised, I am sure, to learn that the people of Ireland take a very special interest in the subject of this Resolution. The question of the Magistracy is a burning question in Ireland. I think I will be believed when I assert that there is no fact which forces itself more strongly upon the attention of any intelligent man who visits Ireland with the intention of inquiring into the social troubles of that country than that what lies at the root, possibly more than anything else, of all the troubles of Ireland is that you have never been able to establish any bond of sympathy between the Executive Government and the administration of the law and the people of the country. It is not alone the denial of a legislative machine truly representative of the people of Ireland which has been at the bottom of the intensity of the



demand for Home Rule, which is pressed upon this Parliament from Ireland. I have always contended that if it were possible for this House, as it might conceivably be, to legislate for Ireland in accordance with the wishes of the people of Ireland you would not get rid of the demand for Home Rule, for, whatever way you legislate in this House, the administration of the law in Ireland is not in harmony with the people of that country. The administration of the law, which comes home more than anything else to the lives of the people, is now, even under the present Chief Secretary, though happily to a much less extent than in times past, owing to the instruments which he is obliged to use in Ireland, not entirely in harmony with the people of that country; and until the administration of the law is brought into harmony with the people who have to live under the law, then, I say, you can never have contentment or peace. An hon. Member asked—What has politics to do with the appointment of Bench Magistrates?—and I think I will answer that question, and answer it to the satisfaction of every hon. Member of this House. I do not know what politics have to do with the appointment of Magistrates in England; but I do know what they have to do with the appointment of Magistrates in Ireland. If you dare to sympathise in politics with four-fifths of your people, that in Ireland is almost an insuperable bar, no matter what qualifications you may possess, to sitting as a Magistrate. There are people in our country, hundreds of men, intelligent men, well-conducted men, who are in every way qualified to act as Magistrates, and who are compelled to submit to the intolerable insult put upon them of seeing men who are not as intelligent, not as well conducted, not in any way as fit to sit upon the Bench, placed over their heads, simply because they are opposed in politics to the mass of our people. I shall now be compelled to give to the House a few figures as regards the condition of the Bench of Magistrates in Ireland. I will first give a few figures showing how the composition stands as regards religious persuasions. I must say, at the very outset, that this question is with us not a religious question, because there are

*Mr. Dillon*

not in the most Catholic corner of Ireland people who would not be just as well pleased to see on the Bench a Protestant who sympathised with the people as a Catholic; and I know myself, in the South and West of Ireland, many Protestants whom the people would infinitely rather see on the Bench than many Catholics. I would only allude, therefore, to the religious persuasions of the Magistrates as compared with the people, because it is one of the signs which show the gross and scandalous partisanship which has characterised those appointments. The Catholic population of Ireland is over 75 per cent.—that is to say, more than three out of every four of the inhabitants are Catholics. There were, in 1886, 5,065 Magistrates on the Bench, and of these 1,229 were Catholics, and nearly 4,000 were Protestants. The population stands in the proportion of three Catholics to one Protestant, while of the Magistrates there are four Protestants to one Catholic. When we go into the figures of the counties the case comes out even stronger. In Fermanagh County 55 per cent. of the people are Catholics. There are 86 Protestant Justices, and there are 4 Catholic Justices. In Monaghan 73 per cent. of the population are Catholics. There are 81 Justices, and there are 13 Catholic Magistrates. In Leitrim 90 per cent. of the population is Catholic. There are 80 Justices of the Peace, and of these 11 are Catholics. In the Queen's County 87 per cent. of the population is Catholic. There are 84 Justices, and 15 are Catholics. In the great County of Tipperary, where 94 per cent. of the population is Catholic, and where there are an enormous number of Catholics qualified in every respect for the Bench, there are 217 Justices, and only 59 of them Catholics. In the County of Wicklow 79 per cent. of the people are Catholics. There are 116 Justices, and there are only 13 Catholic Justices. I think it will be admitted that these figures alone look suspicious, and are sufficient ground for just complaint on the part of the Irish people. But those figures only give an inadequate idea of the grievances under which our people have suffered in this regard, because I have no hesitation in saying that the

Catholic Magistrates are in a large degree worse enemies of the people than the Protestants, for the Executive Government of Ireland, or rather I should say the Lord Lieutenants, when making appointments to the Magistracy amongst those who hold the faith of the majority of the people, have selected men who are notoriously opposed in politics to the body of the Irish people, and who in many cases, I grieve to say, exhibit all the bitterness and animosity of turncoats and of traitors. In the County of Leitrim there are 71 Justices, and out of the 71 there is one Nationalist in a county where the Tory candidate was only able to poll 14 per cent. of the Parliamentary voters—that is to say, 86 per cent. of the Parliamentary voters of Leitrim have one representative on the Magisterial Bench, and the minority have a representation of 70 out of 71. It is not to be wondered at that the Loyalist minority in Ireland should insist upon maintaining the present condition of things. In Sligo there are 78 Justices. One out of the 78 is a Home Ruler. In the County of Mayo, a division of which I represent, and in which the Catholic population is, I should fancy, considerably over 90 per cent. of the whole, there are 95 Justices of the Peace, and two of these are Home Rulers; and in the County of Galway there are 196 Justices, and two only are Nationalists or Home Rulers. These figures are taken from the Return of 1886. Slight changes may have occurred since then, but these are not substantially wrong. I think it will be admitted by everyone who has any sense of fairness that those figures do constitute a grave and intolerable grievance upon the people of Ireland. I will give one more county, because I do not think it is necessary to pile up statistics. I have not selected the counties. They are taken at random, but they are thoroughly characteristic of the state of things in Ireland in connection with the Magisterial Bench. The county I refer to is the County Carlow. The Roman Catholic population is 36,000, and the Protestant population 4,500. The Magistrates stand as follows:—There are 57 altogether, of whom 10 are Roman Catholics; but of those 10, 5 are Catholic gentry who do not reside in the county,

so that in that county, with a Catholic population of 36,000 out of 40,000, there are but 5 Catholic Magistrates residing there, and, let me add, 4 of the 5 are Unionists, and only 1 is a Nationalist. Anybody who knows the County Carlow, who is acquainted with it, cannot maintain for a single instant that there are not in that county an abundance of men holding Home Rule opinions who are quite sufficient and competent to man the Magisterial Bench even twice over if they were allowed to do so. I could go on *ad nauseam* piling up figures of the same character; because, as I have said already, the instances I have given are instances taken at random from different counties. This exclusion, as I have already pointed out, this barrier against the appointment of Magistrates in Ireland, is not confined by any means to any particular section or creed; it is not a question between Catholic and Protestant, because I have instances without number at my disposal of men who have been strongly recommended for the Magistracy who it could not be denied possessed every necessary qualification, whose names were sent forward to the Lords Lieutenant of Counties in Ireland, and who were refused to be appointed, who were rejected by these Lords Lieutenant, not because they were Catholics, for many of them were Protestants and Presbyterians, and in some cases Unitarians, but because they held, or were suspected of holding, the same views as are now held by Her Majesty's Ministers. I have here the names of such men as Mr. John Sterne, Mr. John Coleman, and other men of the same kind in North Londonderry, whose names were sent forward some time ago before the Home Rule Question was raised, and they were then Liberals. I think they are Presbyterian by creed, and men of standing and wealth in that district; but they were rejected by the Lord Lieutenant of the County, Sir Hervey Bruce, not at that time, because they were Home Rulers, but because they were Liberals. They were, however, afterwards appointed over the head of Sir Hervey Bruce to the Magistracy in Ireland. Already in Ireland the Lord Chancellor has exercised this right in the past, and we in Ireland are extremely anxious to see him do it

again on a much larger scale. But those men, of whom I now speak, were refused to be appointed, so far as the Lord Lieutenant could refuse it 10 or 12 years ago, because they were Liberals, and the very same treatment has been meted out within the last few months to some respectable men of high standing in the County Down, whose names I have here. I may mention Mr. Robert B. Caughey, of Newtownards, a Presbyterian; Mr. Hugh Ferguson, formerly Chairman of the Newtownards Board of Guardians, and Mr. William Gibson, a Unitarian. But because these men were supposed to sympathise with Home Rulers and being Protestants—Ulster Protestants of the County Down—these men who enjoyed the universal respect of their fellow-citizens and neighbours, who had every qualification that could be imagined for the Magistracy, their claim was rejected by the Deputy Lord Lieutenant of the County Down simply and solely because they were suspected of sympathising with the opinions of the present Government. What is the condition of things in Ireland at the present moment? The condition of things is this: that to be a sympathiser with, and a supporter of, the present Government and to be in harmony with the political opinions and views of the vast majority of the people in Ireland is a barrier to being placed on the Judicial Bench. I have not the slightest hesitation in saying that the Judicial Bench in Ireland has been turned into what is nothing short of a political engine, and that it is used for that purpose; and I say to that cause can be ascribed to a considerable extent the trouble which has arisen in Ireland, or rather the disrespect which is said to exist in that country for law and order. [*Cheers and laughter.*] It is all very fine to laugh, but when you see men who are supposed to administer justice all selected from one class, and that a small minority and a small class, who are in continued conflict with the people, and if, when a man is brought up before these Magistrates, he sees no chance of impartial treatment, he sees arrayed against him the representatives of the very class who were oppressing him, then, I say, it is impossible to expect any kind of respect to exist for justice administered in such a manner. I will give one or

*Mr. Dillon*

two more instances to show I am not exaggerating or drawing upon my imagination in this matter, and I think the first case I am about to quote will bring home to any fair-minded man the reasonableness of the case I am making. Take the case of Mr. Tener, who was brought into the County Galway as a stranger and an outsider by Lord Clanricarde to carry out the law of extermination which he is waging against his tenants. Mr. Tener was not a resident, and had no connection with any property in the county. He was brought into that county at a time, as I say, when Lord Clanricarde was waging a war of extermination against his tenants, and when Lord Clanricarde was defying and embarrassing the Tory Administration in Dublin Castle. The then Chief Secretary for Ireland (Sir Michael Hicks-Beach) appealed to Lord Clanricarde to stop this war of extermination, and not to embarrass the Government. What was done by Mr. Tener? While he was actually living on Lord Clanricarde's estate, and while a house was being prepared for him to live in, he was created a Justice of the Peace—a man who had no property and no connection with the county, and, notwithstanding that, he was created a Justice of the Peace—I presume at the request of Lord Clanricarde—in order that he might discharge the double functions of knocking down the houses of the tenants and afterwards sending the tenants themselves to gaol. I also wish to mention the case of Mr. Hewson, a gentleman of evil fame in connection with the Falcarragh evictions. When he came into the County Leitrim he was created a Justice of the Peace, in order that he might be the better able to carry out his functions as a land agent. That is the common practice in Ireland. The land agent, when he is brought into a county and takes up agencies, is created a Justice of the Peace in order to enable him to carry out the work of his employer more effectually. I ask hon. Members of this House, as fair-minded Englishmen, can they ask or expect people amongst whom such things are being habitually done to have respect for the administration of the law or the agents of the law? I heard an hon. Member just now speaking of the ex-

treme purity of the Lords Lieutenant in England, describing the way in which the vacancies were filled up in England, and adding that the Lords Lieutenant and the Executive Government never for a moment appointed a Magistrate unless he was wanted. That may be the way in England, but it is not the way in Ireland. I will give you an instance. When the Government of Lord Salisbury came into power, and by our assistance—in 1885—they afterwards gave us a very bad reward for our good offices—when that Government came into power it lasted for 227 days. In that time they appointed 264 County and 63 Borough Magistrates, although there were no vacancies.

An hon. MEMBER: What are the names?

MR. DILLON: I have all the names of these Magistrates here; yes, every one of them. I am not going now, I need not say, to read out the list. I may say, however, that, on looking down the list, one would think you were looking down a list of English Magistrates. There is hardly a name you would recognise as an Irish name. I have no doubt that a great many of them were Orangemen. Certainly they were all Tories. I have not been able to get the whole list analysed. Certainly that Government made hay while the sun shone. In the County of Leitrim, for instance, 13 new Magistrates were created, all Tories and Protestants, although up to that time there were no Nationalist Magistrates in the county, and only 11 Roman Catholic Justices altogether. I ask any Englishman present, even hon. Members sitting on Tory Benches, is that honesty? Is that fair play? Is that impartiality? Here is a county in which 80 per cent. of the population are Roman Catholics, and yet only 11 are Catholics, and there is not one in sympathy with the Parliamentary voters. Yet when there were no vacancies the Tory Party created 13 additional Magistrates.

An hon. MEMBER: They were appointed by the Lord Chancellor.

MR. DILLON: I thought the hon. Member knew enough to know that the Lord Chancellor is not coerced to make any Magistrates. If the Lord Chancellor

thinks that the Lord Lieutenant is acting improperly, he has only to refuse to make the appointments. I only want to dispose of the argument that the vacancies may not exist. I say it is the duty of the Executive Government now in power in Ireland to do something, no matter what abuse or criticisms they may receive from those Benches; to do something to redress the inequality in Ireland, to give to the people of Ireland some foundation on which to respect the law. You (pointing to the Conservatives) have been at it for the past 90 years; and you have not brought much respect for the law, and never will so long as the system your Party supports is enforced in Ireland. You can crush the people by force of arms, or you can bind them down with Coercion Acts; but respect and love for your administration and law you could never establish in Ireland. I will tell you the reason. Because they know your law is based upon injustice. I shall say no more except just a few words, because I think we are bound to economise the time of the House. It has been my lot, amongst a somewhat varied experience in different parts of the world, to live for some time in very new communities in the Western States of America, where rough people of all kinds are thrown together, under circumstances not particularly conducive to the establishment of law and order, or respect for the law, and I never lived in any part of the world where the law was better enforced or more respected. Why was that? Because there was no man in the district who, by the labour of his hands, earned his daily bread, who did not know that he had his chance of taking part in the administration of the law under which he lived, as well as the wealthiest man in the whole district. The poorest labourer had a chance of being a Magistrate, and if he did sit on the Bench there he was as much respected, if he deserved respect, as the richest man there. My experience there, and in other parts of the world, has convinced me the surest and only way to secure respect and love for the law amongst any civilised people is to bring home to the mind of every man that they have equal rights before that law and an equal chance of taking a share and having a voice and an influence in the

administration of it. If you will do that to the people of Ireland you will find there is not a people on the face of the earth more easily governed than the Irish people. I would appeal to the Prime Minister himself, or the Irish Secretary, to make some declaration to-night which will satisfy the people of Ireland that now at last, when for the first time since the Union there is in power in this country a Government which thoroughly sympathises with the masses of the population in our country, that they will use the power which unquestionably is in their hands in Ireland to remove this one great and intolerable grievance from the necks of our people, and to commence, to some extent at least, the work of redressing the gross and scandalous partiality of the Bench of Magistrates in Ireland.

SIR G. RUSSELL (Berks, Wokingham) objected that the people of England should be called upon to alter their entire system in order to meet the peculiar requirements of a peculiar people like the Irish. The hon. Member for East Mayo complained of the injustice of the administration in Ireland by the Magistrates, but he had heard from him precisely the same complaint with regard to the Judges of the High Court, who were not appointed upon the recommendation of the Lords Lieutenant. No doubt there might be in Ireland a body of Magistrates and Judges who might afford satisfaction in particular quarters. No doubt a gentleman who had cut off a cow's tail would have more sympathy with another gentleman who had also cut off a cow's tail; but he never yet heard, either with regard to the Judges or the Magistrates, any charge which could bear investigation on the floor of this House—never once. They in England declined to be dragged in this, as in other matters, at the tail of Ireland. The hon. Baronet who moved the Resolution in so temperate a speech said not a word against the existing Magistrates. His complaint was that there were gentlemen who should be, but were not, appointed to the Bench. But at the bottom of the whole of the argument in support of the Resolution was the allegation that the existing appointments were made upon political grounds. How was it proposed to remedy that? By

*Mr. Dillon*

handing over the appointments to a direct and distinct political personage. The Lord Chancellor sat in the Cabinet, was identified with every measure, Radical or Conservative, which the Government of the day might have placed before the people, and he would always be under pressure to regulate his Magisterial appointments so as to curry favour with the Party by whose aid he hoped to carry those measures. He had been sorry to hear from those Benches language somewhat condemnatory of the present Lord Chancellor, for there was no man living for whose character, capacity, and honesty he entertained a higher opinion. By way of analogy, take the appointment of the present puisne Judges of the High Court by the Lord Chancellor. Would any man venture to say that those appointments were made on the ground only of legal fitness? They were made every day, not on the ground of legal fitness, but of political expediency. Yet it was proposed to hand over Magisterial appointments to the very political gentleman who now made these political appointments in the High Court. The Resolution was reactionary; it would have the exact effect of doing that which it professed to undo, and he should have no hesitation in giving his vote against it.

\*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I propose, in a very few sentences, to state the view which Her Majesty's Government take on this question. I think we shall all admit that we have had, up till now, a very valuable and interesting Debate. The Lord Chancellor, in answer to the deputation which waited on him a short time ago, expressed the opinion that while the legal right of appointing Magistrates for counties as well as for boroughs was vested in him alone, he himself did not feel justified in setting aside the long-standing practice and Constitutional usage which had grown up, of limiting the county appointments to persons nominated by the Lords Lieutenant, unless he was fortified in doing so by an unequivocal declaration of the opinion of the House. That declaration the right hon. Baronet, by his Motion, invites the House to make, and, as far as the Government are concerned, they

trust the House will respond to the appeal. The Motion, I may point out, is judiciously limited in scope; it does not propose to disestablish the Lords Lieutenant from the position of a recommending authority; what it does is to take away from them the monopoly of the power or privilege of recommendation, and to open out for the information, and, if need be, for the action, of the Lord Chancellor, other sources of suggestion and advice. Now the adoption of such a Motion, no doubt, involves a condemnation of the results of the existing system. What are the facts? The effect of them may be summed up by saying that they show, when the composition of the Magisterial Bench is analysed, an enormous disproportion, out of all correspondence with the distribution of outside opinion, in favour of a particular political Party, and in some parts of the Kingdom in favour of a particular religious creed. In Wales, as my hon. Friend the Member for the Flint Boroughs has remarked, there is not merely the political, but there is the religious, question, and no one can doubt that over a very large part of the Principality the profession of Nonconformist belief is regarded as a disqualification for the Bench. In Carmarthenshire, for instance, there was, until lately, only a single Nonconformist on the Bench, and in Denbighshire there were only seven. In many parts of Wales the restriction of the appointments to the Bench to the Conservative Party and members of the Church of England leads to the great practical inconvenience that the Magistrates who have to administer justice among a Welsh-speaking population do not understand the tongue of the witnesses. In Ireland the Lord Chancellors have from time to time taken upon themselves to do what is a very rare, if not unknown, thing in this country, to disregard and over-ride the discretion of the Lords Lieutenant. Still, as a rule, the Lord Chancellor in Ireland, as well as in England, has felt himself bound, not by inflexible, but by common, practice to follow the recommendations of the Lord Lieutenants. I will take the appointments of the late Lord Chancellor, Lord Ashbourne. Between August 5, 1886, when he came into Office, and August 22, 1892, when he went out, he

appointed in a country, where three-fourths of the population are Roman Catholics, 1,012 Magistrates, of whom only 166 were Roman Catholics.

MR. T. W. RUSSELL: Will the right hon. Gentleman say how many Presbyterians were appointed?

\*MR. ASQUITH: No, Sir; I cannot. The question of the hon. Gentleman is entirely irrelevant to the point. What I was saying was that in a country, three-fourths of the population of which are Roman Catholics, less than 200 out of over 1,000 Magistrates appointed by the late Lord Chancellor belong to that faith. That shows a practical, I will not say ostracism, but a discrimination habitually exercised against the faith of the majority of the people, which cannot but have the effect of permanently and profoundly impairing their confidence in the administration of the law. The present Lord Chancellor, during the nine months he has been Office, has appointed 210 Magistrates, of whom 133 are Roman Catholics. I do not know whether that will be represented as a scandalous piece of Bench-packing; but seeing that during the six years his predecessor was in Office only 166 Roman Catholics, out of 1,012 Magistrates, were appointed, I say it is high time some attempt was made to redress the balance. As it is, there are in Ireland some 5,300 County Magistrates alone, and after all the Bench-packing by the present Government 4,437 of that number are Protestants and only 873 Catholics. Though not strictly relevant to the question before the House, I have one observation to make on the criticisms passed on the action of my noble Friend the Lord Chancellor of Great Britain. It is suggested that in the boroughs my noble Friend has been guilty of extraordinary partiality and a want of a judicial spirit. When my noble Friend came into Office 22 per cent. of the Magistrates on the Borough Bench were supporters of the present Government. At the present moment 36 per cent. of the Borough Magistrates are supporters of the present Government. In other words, the Party opposite have been left in possession of nearly two-thirds of the Borough Bench. These figures speak for themselves. I will allow to those

who oppose the Motion that there are two circumstances that might fairly be taken into account, and which are independent of the political prepossessions of the Lord Chancellor. In the first place, I admit that the Conservative Party have always had, and has at this moment, probably to a larger degree than ever in the past, a considerable preponderance amongst its supporters of those persons of property and of social position from whom the Magistrates have been appointed in the past. I will agree further that the existence of the property qualification, which is exacted as a condition for Magistrates in counties, though it is not in boroughs, must necessarily limit and restrict the Lord Lieutenant's area of choice. I should be very glad to think that we should have the support of hon. Gentlemen opposite in removing that disqualification and in assimilating the conditions for admission to the county to those which prevail for admission to the Borough Bench. I have been endeavouring for a long time past to bring in a Bill for that purpose, and if I can get the least encouragement in the course of the Debate from the Leader of the Opposition that that Bill will be treated as a non-contentious measure—[*Opposition cries of "No!" and Ministerial Cheers.*] I confess I never expected it. Hon. Gentlemen opposite are prepared deliberately to maintain, for the purposes of the County Bench, the property qualification. The noble Lord (Lord R. Churchill) shakes his head; but the noble Lord is a Tory democrat.

LORD R. CHURCHILL (Paddington, S.): The property qualification has disappeared long since.

MR. ASQUITH: Not in the counties. The noble Lord is entirely mistaken.

LORD R. CHURCHILL: The property qualification for all political offices has disappeared.

MR. ASQUITH: I understood we were dealing, not with political offices, but with judicial offices. Is the noble Lord going to maintain that these being judicial, and not political, offices the property qualification ought to be applied?

LORD R. CHURCHILL: No.

*Mr. Asquith*

\*MR. ASQUITH: I am glad of that admission; but then the noble Lord has got to deal with hon. Gentlemen behind him, who, when I ask that the measure I wish to introduce should be treated as non-contentious, immediately indulge in a chorus of negation. The Party opposite see that the property qualification, coupled with the exclusive power of Lords Lieutenant to nominate, is their great security for maintaining the County Bench in its present position. After all allowance has been made for the causes to which I have referred, the facts cannot be accounted for without supposing that the Lords Lieutenant, or those who advise them, have been influenced in the past by political motives. I do not make any charge against the Lords Lieutenant. I know there are Lords Lieutenant who have steadily refused to nominate on political grounds, but they very frequently took a course which, though they did not intend it, had precisely that result. They went to the various Petty Sessional Divisions for advice, and they got from the Magistrates sitting upon the Bench nominations which, although the Lord Lieutenant may have been too innocent to know it, were undoubtedly inspired by political motives. I do not think I am putting the case too far when I say that we may divide the practice which has been pursued into two branches. Upon the one side, where we have had a Lord Lieutenant acting on his own initiative, we have had nomination on political grounds; and upon the other side, where we have had a Lord Lieutenant applying to the Petty Sessional Bench, we have had co-optation on political grounds. I entirely agree with those who say that politics ought not to be regarded as a qualification for the Judicial Bench. [*Opposition cheers*]. Yes; but if I may quote a familiar saying of an eminent Frenchman, who, when asked his opinion about the abolition of capital punishment, suggested that the assassins should set the example, I would say that it does not lie with those who have packed the County and Borough Benches with political partisans to hold up their hands in holy horror and argue, as against their opponents, that politics should have nothing to do with judicial appointments. I make a fair offer to hon. Gentlemen.

Once let us redress the inequalities of the past, and we and our Party will be perfectly prepared to enter into a truce and to agree that, for the future, politics should have nothing to do with appointments to the Magistracy. I must add that I do not make any general charge against the County Magistrates. I have had an opportunity, perhaps, of seeing more of the proceedings of Magistrates than can fall to the lot of most hon. Members; and although mistakes are made from time to time, as they must be in the best-constituted judicial arrangements, I gladly yield my testimony that there is no ground whatsoever for suspecting the great majority of the Magistrates in this country either of partiality or incompetence. But it is not necessary for the purposes of this Motion, or for my argument, to allege that unfit persons are placed upon the Bench for political reasons, because, in the view of the Government, the efficiency of the persons who are charged with the administration of justice, important as it is, is not more important than securing public confidence in the administration of justice. So long as a state of facts exists—leaving England out of view—such as that which has been described in Wales and in Ireland, public confidence in the administration of justice is impossible. The determination of certain kinds of questions which constantly come before Magistrates must necessarily expose them to suspicion if the Bench be constituted wholly or mainly of one political or one religious Party. Take the case of licensing houses for the sale of intoxicating liquor. The appeal from the decision of the Borough Benches is to the County Quarter Sessions—that is to say, to Magistrates nominated by the Lord Lieutenant—and the cases are numerous in which the decisions of the Borough Magistrates have been over-ruled by the County Justices.

SIR E. CLARKE (Plymouth): Not in the case of new licences.

\*MR. ASQUITH: No; there is no appeal in that case. Take the question of the rights of property, the enforcement of the Game Laws, and rights of way generally. Far be it from me to say that the Magistrates show bias in these

matters; but, so long as the Bench is constituted as it is at present, there will always be in the minds of people a feeling, which you cannot say is unreasonable, that Magistrates belonging exclusively to one class slightly depress or raise the balance in favour of the class to which they belong. Take one other illustration—the large, increasing, and most delicate class of questions connected with labour which are now constantly coming before Benches; take such a case as that of the Hull strike, which was discussed in the House only yesterday. That has happened in a borough, but a similar state of things may happen, and has happened during my short experience at the Home Office, in a county. There we have Magistrates of the Bench not only determining the charges made against persons summoned before them for offences against the law, but with the delicate and responsible duty thrown into their hands of determining whether or not they should call the Naval and Military Forces of the Crown to assist them in the maintenance of law and order. The only condition under which justice can be administered so as to inspire general confidence is that the Bench should represent all Parties and all schools, and should be free from all suspicion one way or the other. The conclusion to which the Government has come is that, although the Lords Lieutenant certainly should not be deprived of the power which they may usefully exercise in continuing to recommend Magistrates to the Lord Chancellor, yet that the Lord Chancellor should not be shut out from other sources of suggestion—that County Magistrates and various Local Authorities which made up the county should have an equal power and an equal right of recommending names to him for selection. In this way we shall, by widening the area of choice and enlarging the Lord Chancellor's free power of selection, provide not only, as the Government believe, security for the efficient administration of justice, but security for that which is equally important—for the deeply-rooted and widespread popular confidence and faith in the impartiality of those who administer the law.

MR. A. J. BALFOUR (Manchester, E.): I gather from the speech of the



Home Secretary that the Government propose, if possible, by the aid of this House, to force down the throat of their Colleague, the Lord Chancellor, a method of selecting Magistrates to which the Lord Chancellor himself has raised very strong objections. If I understand what took place between the Lord Chancellor and an important deputation not long ago, he is of opinion that, generally speaking, the existing system has not worked badly; he is of opinion also that any system that has been proposed as a substitute would work far worse; and he is especially convinced that that which commends itself to the Home Secretary—to take the nominations of County Councils—is not one which would, on the whole, conduce to manning the Bench in a satisfactory manner. This is a very extraordinary procedure on the part of the Government. I should be curious to know, if one could discover it, what happened at the Cabinet when this course was finally decided upon. With regard to Ireland, the chief objection raised by the Home Secretary, echoing the speech of the hon. Member for Mayo (Mr. John Dillon), is that the proportion of Catholics to Protestants on the Bench is very different from the proportion of Catholics to Protestants in the population. That is perfectly true, and the reason is obvious.

MR. JOHN DILLON said, the chief objection he had stated was that of political partisanship.

MR. A. J. BALFOUR: I will say, then, not the chief objection, but the longest objection of the hon. Member, and the chief objection of the Home Secretary. Both must be aware that one of the difficulties in Ireland in making the proportion of officers or of Magistrates, or of any officials whatever, at all correspond with the religion of the population is that, unfortunately, the class from which, on account of education and other circumstances, we have to draw the Magistrates is, unfortunately, not in conformity with the religious convictions of the majority of the people. It is a fact greatly to be deplored, and it is, in my opinion, a reason for limiting as much as possible the jurisdiction of unpaid Magistrates in Ireland. But so far as my experience of Ireland goes,

*Mr. A. J. Balfour*

it is distinctly to a man's advantage to be a Roman Catholic in seeking an appointment. I had nothing to do with the appointment of Magistrates; but so far as I had to do with medical appointments, I can most truly say I took Roman Catholics of lower qualifications rather than Protestants. As between two competitors for the same place, one a Roman Catholic and the other a Protestant, I always more than stretched a point in favour of the Roman Catholic. The hon. Member for Mayo desires to see a body of Judges who would administer law in conformity with popular feeling. The difficulty of doing that in some parts of Ireland is to maintain any law at all. In Ireland I should always be in favour of extending the jurisdiction of the paid Magistracy at the expense of the jurisdiction of the unpaid; but I do not believe, and the Home Secretary, I am sure, does not believe, that the cause of justice in Ireland is likely to be materially improved by the policy of recklessly appointing persons who are to administer the law in conformity with popular feeling. Coming to the case of England, I cannot do better than recall the observations which fell from the Seconder of the Motion, the hon. Member for Peterborough (Mr. A. C. Morton) yesterday, as to the effect of the system of appointing Magistrates. The hon. Member, and Member after Member on his own side belonging to the Labour Party, got up and told the House that the whole administration of justice with regard to the series of cases arising out of labour disputes in Cardiff, in Bristol, and in Hull has absolutely brought that administration into contempt, because it has been left to Magistrates appointed in the manner which the Motion of the right hon. Baronet commends to the House. Whatever may be said of the County Magistrates of this country, I do not believe that for 50 years any accusation has been made against them at all comparable to the accusations which have been made against the Borough Magistrates in this House only 24 hours ago. What do the Home Secretary and those who agree with him aim at? The Home Secretary has told us that if only the political balance were redressed as between the two Parties, he would allow matters to rest, and there

would be a truce. But because the political balance has not been redressed—except, indeed, by the energetic efforts of the Chancellor of the Duchy (Mr. J. Bryce)—because the balance has not been redressed except in one happy county (Lancashire), the right hon. Gentleman proposes to shatter the existing system from top to bottom and to call wholly new machinery into being in its place. But how long would this truce last if it were established? In 1886 it pleased hon. Gentlemen opposite to make great changes in their political creed, and, as a consequence, a great many Magistrates who up to that time belonged to their Party, now belong to the Unionist Party. Are we to understand that every time the Liberal Party choose to estrange a great body of educated opinion they are going to invent and set in motion new machinery until, to use the happy phrase of the Home Secretary, the balance has been again redressed? That phrase is enough by itself to dispose of the soft statements of the right hon. Baronet, who was moderation itself. The right hon. Baronet did not mention any desire to “redress the balance”; but now it has come out through the incautious utterance of the mouthpiece of the Government that the object is not to improve the administration of justice, but to increase the patronage of the Radical Party. The right hon. Gentleman says that, on the whole, he has not much to complain of in the action of the Magistrates in England; but that there are certain matters entrusted to them of such difficulty and delicacy, and so seriously affecting their own personal interests, that it is absolutely necessary to take the recommendations out of the hands of the Lord Lieutenants, and the right hon. Gentleman instances specially the question of poaching. Now, is there a human being in this House, acquainted with country life, who believes that the law relating to poaching would be more justly administered by Stipendiary Magistrates than it is at present? [*Cries of “Yes!” and “Hear, hear!”*] I do hon. Members who cried “Yes” the justice of believing that they spoke from ignorance, and not from prejudice. I am certain, at this moment—whatever may have been the case two generations ago—the

fact that so many of the Magistrates who have to adjudicate in poaching cases are drawn from the land-owning classes tends, not to the severer administration of justice, but, on the contrary, to a more lenient administration. [*Ministerial laughter, cries of “Oh!” and cheers.*] I do not believe that that statement will be seriously traversed by any hon. Gentleman of competent knowledge. I now pass—for I can only speak for a few moments more—to a consideration of the substance of the Resolution proposed by the right hon. Baronet. The right hon. Baronet recommends this Resolution on the ground that politics should not enter into the selection of Magistrates; but does he mean that those who are appointed should not necessarily be connected with politics? I agree that these appointments ought never to be made on political grounds; but the Government are ensuring henceforth that they shall always be made on political grounds. You ensure that henceforth they shall always be made on political grounds. The right hon. Baronet says that the Lord Chancellor is to have other channels of communication than the Lords Lieutenant of the counties. What other channels? Well, Sir, we all know what the other channels are. They are to be the local wirepullers of the Party in power; the other channels are to be every Member of the House who wants to do a kindness to a man who has helped him in his election. I do not make that statement merely with reference to hon. Gentlemen opposite. They have no special or peculiar monopoly of jobbery. I make no imputation of that kind, but I say while it is in the experience of every man in the House who has applied to a Lord Lieutenant to make a political appointment that he is likely to get well snubbed for his pains, every one is equally aware that if such an application is made to a Member of the Government obliged to conciliate the feelings of the Party behind him, and who is forced to think of the result of elections in dubious constituencies—an appointment of that kind made with those recommendations will be what the present appointments as a whole are not—namely, political appointments. I do not know whether the House has noticed that the Resolution of the right hon.

Baronet is of a purely negative character. He tells us that the existing system is to be done away with, but he does not tell us what system is to be substituted. What does that mean? Earlier in the evening the right hon. Baronet the Member for Gloucestershire said he believed that if this Resolution were carried it would ultimately lead to the destruction of the existing system of Magistracy in England, and that statement was received with enthusiastic approval by hon. Gentlemen opposite. ["Hear, hear!"] Yes; but if you want to destroy the system have the courage of your opinions, and tell the House what the system is which you wish to substitute for it. For my part, if you come down to this House and say that you think, as labour questions are coming to the front, and that even on general grounds you prefer a Stipendiary Magistracy to the existing unpaid Magistracy, I should not agree with you as a whole; but I should see very great force in your argument. But I would ask the Chancellor of the Exchequer how he would like to find £500,000 a year to pay for this Magistracy, and I might even feel called on to comment on the extraordinary cost which appears always to attend Radical reforms. But at least I should understand your policy. I should go further, and should have in many respects great sympathy with it. But that is not what you are doing. You have not the courage to attack the Magistracy; you want to make it look ridiculous—and, if I rightly interpret the cheers with which the right hon. Baronet's speech was received, you want to make it ridiculous for the purpose of ultimately destroying it. That is not statesmanship. That is not the way to deal with an institution which has existed for 600 years in this country, and which through these centuries has given, on the whole, great satisfaction. It is not the way to deal with a method of administering justice which I believe has the confidence of the people as a whole. Your plan, to put it shortly, is this: you wish to turn the patronage of the Bench of Magistrates in England into a wheel in your general electioneering machine. I object to that. Destroy the Magistracy if you will, but destroy it by legislation after full discussion, with the assent of the Representatives of the

*Mr. A. J. Balfour*

people having the whole matter before them. But do not attempt this extraordinary expedient by which you will throw upon a political officer duties which he himself repudiates, and which he is ill-qualified by his position to perform. Do not take away duties from men who undoubtedly, with all shortcomings, have, on the whole, performed these duties well; and, above all, do not destroy a great system of administering local justice throughout the country until you are prepared to come forward and propose to us a system which you desire to substitute for it.

\*MR. DODD (Essex, Maldon) [*Loud cries of "Divide!"*] said, that a considerable part of the opposition to this Motion arose from misconception. First of all, the right hon. Member for Gloucestershire—[*cries of "Divide!"*—] who spoke with great authority on county questions, was, he thought, mistaken when he assured the House that there was no dissatisfaction with the present system. [*Cries of "Divide!"*] He wished to speak because he took an interest in this matter, and had himself received hundreds of letters on the subject from County Councils and other Public Bodies in Wales and in England, and even from Conservative Clubs, complaining of the present system of appointment of Magistrates. [*Cries of "Divide!"*] The right hon. Gentleman who was formerly responsible for the administration of the Government of Ireland (Mr. A. J. Balfour) was, he thought, mistaken in saying that this was a strong proceeding on the part of Her Majesty's Government, because, as he (Mr. Dodd) understood the matter, the Resolution did not in any respect change the law, but merely asked that the Lord Chancellor should enforce it; and everyone who went to the trouble of understanding the question knew that the appointment of Magistrates rested with the Lord Chancellor alone. [*Interruption.*] It was because they were attacking a class that these interruptions were made. [*Cries of "Divide!"*] He had received a letter from a gentleman, who said he had never been made a Justice of the Peace because he was an advanced Liberal, notwithstanding that he had twice been returned to Parlia-

ment. [*Continued interruption from the Opposition Benches.*]

\*MR. SPEAKER intervened, requesting that the hon. Member might be allowed a hearing.

MR. DODD said, that in the Division he represented there were 36 Magistrates, of whom one only was a declared Liberal. The same thing occurred in all the other Divisions of Essex—politics and social status, not fitness, were the present qualifications—and that was why one of the Conservative Members for Essex had joined in the crusade against the present mode of appointing Magistrates. He could give, but he did not propose to do so, letters from all parts of England where Nonconformists and Liberals had been excluded from the Bench. [*Prolonged Interruption.*] In Merthyr Tydfil, in Wales, there were eight Magistrates, seven of whom were Tories and one Liberal, and yet it returned two Liberals to this House, the lowest Liberal poll having been 11,756, while the defeated Tory polled only 2,304. [*Cries of "Divide!"*] Could they imagine a greater scandal? [*Loud cries of "Divide!"*] He recognised fully that the time had gone by for speaking on this matter. [*Cries of "Divide!" and Interruption.*] He knew that they had now to proceed to a Division, and felt confident that as a result this scandal would be put an end to.

MR. H. HOBHOUSE (Somerset, E.) (who rose amid loud and continued cries of "Divide!" and Interruption) was understood to say that his chief ground of objection to the Motion was that it was a purely negative proposal. [*Cries of "Divide!"*]

\*MR. SPEAKER intervened to obtain a hearing for the hon. Member, but to no purpose.

MR. HOBHOUSE was further understood to say that the result of carrying the Resolution would be that the County Bench would be packed at one time with Liberals and at another time with Conservatives. It would deteriorate the Bench and overload the hands of responsible Ministers.

\*MR. COURTNEY (Cornwall, Bodmin) (who rose amid cries of "Divide!") said, they had only ten minutes more, and

it would not, perhaps, be too great a strain upon the House, in dealing with a subject which every one admitted was one of the greatest practical importance, if the time was devoted quietly to the consideration of the proposal before the House. He had a great difficulty in discovering for himself how he should vote on this Resolution. If any one were to suggest for the first time that the administrators of justice in each county should practically be intrusted to the selection of one man, chosen, perhaps, early in life, upon the development of whose character and opinions no one could speak with any certainty at the time of his appointment, that would be considered a proposal too ludicrous to be adopted. On the abstract question it was impossible to say that the present system was not open to the severest criticism, and he was free to confess also that too often the practical application of the system had been found wanting. There were to be found amongst the Lords Lieutenant of Counties some gentlemen who, not dishonestly, but from the force of prejudice, the preoccupation of their minds, or the bias of their inclinations, were able to discover judicial qualities only in those who agreed with them in political life. That was not a fault confined to Lords Lieutenant—from what had happened during the past few minutes it was evident that it prevailed amongst Members of Parliament. But what were they to adopt in exchange for the present system? An Amendment had been placed on the Paper suggesting a definite principle for the protection as much as for the guidance of the Lord Chancellor, if he should dispense with the recommendations of Lords Lieutenant, and the right hon. Gentleman (Sir. C. Dilke) had expressed his sympathy with that Amendment, but could not adopt it because it did not meet with the approbation of his friends.

\*SIR C. DILKE said, that the Resolution correctly conveyed the opinion of his hon. Friends, who thought that the Amendment might be misapprehended.

MR. COURTNEY said, this was strange distrust. The Amendment expressed their own minds, but they were

not sure that it expressed the minds of their friends. What was this but an unconscious confession that in the minds of some there lurked the feeling that Magistrates should be appointed, not on grounds of personal fitness, but as the reward of political support. He was sure the present Lord Chancellor, and he believed all Lords Chancellor, would beg protection against the pressure that would thus be put upon them. He hesitated to accept a proposition involving this danger. As the Prime Minister had often contended, voting against the Amendment to the Question that Mr. Speaker do leave the Chair was only voting for the Previous Question. If the right hon. Gentleman (Sir C. Dilke) was not able to disavow, as he frankly admitted he was not, on the part of his hon. Friends, this suggestion of partisanship, though he himself was personally against it, then he (Mr. Courtney) considered himself justified in voting for the Previous Question. [*Cries of "Divide!"*] He had heard the Prime Minister use that argument scores of times. It was a good argument, and it would prevail with him on this occasion.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 240; Noes 293.—(Division List, No. 66.)

Question proposed, "That those words be there added."

MR. TOMLINSON (Preston): Mr. Speaker—

\*SIR C. DILKE: Mr. Speaker, I beg to move that the Question be now put.

LORD R. CHURCHILL (Paddington, S.): Do not divide.

MR. SPEAKER: I was about to put the Motion for the closure, but if there is no necessity for it I will not do so.

Question, "That those words be there added," put, and agreed to.

Main Question, as amended, put, and agreed to.

Resolved, That, in the opinion of this House, it is expedient that the appointment of County Magistrates should no longer be made by the Lords Chancellor of Great Britain and Ireland for the time being only on the recommendation of the Lords Lieutenant.

*Sir C. Dilke*

Supply—Committee upon Monday next.

#### BURGH POLICE (SCOTLAND) ACT (1892) AMENDMENT BILL.—(No. 322.)

Read a second time, and committed for Monday next.

#### SEA FISHERMEN'S VOTING (SCOTLAND) BILL.

On Motion of Mr. Crombie, Bill to amend the Law as to the Voting of Sea Fishermen in Parliamentary Elections in Scotland, ordered to be brought in by Mr. Crombie, Mr. Buchanan, Sir William Wedderburn, Mr. Birkmyre, and Mr. Thomas Shaw.

Bill presented, and read first time. [Bill 341.]

#### SELECTION (STANDING COMMITTEES.)

SIR JOHN R. MOWBRAY reported from the Committee of Selection; That they had discharged the following Member from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures:—Mr. Burt; and had appointed in substitution: Mr. Seale-Hayne.

Report to lie upon the Table.

#### COAL, CINDERS, &c.

Accounts ordered "of the quantities of Coals, Cinders, and Patent Fuel shipped at the several Ports of England, Scotland, and Ireland, coastways, to other Ports of the United Kingdom, in the year 1892;"

"Of the quantities and declared value of Coals, Cinders, and Patent Fuel exported from the several Ports of England, Scotland, and Ireland to Foreign Countries and the British Settlements Abroad in the year 1892, distinguishing the Countries to which the same were sent;"

"Of the quantities of Coals, Cinders, and Patent Fuel exported from the United Kingdom in the year 1892;"

"Of the quantities of Coals and Patent Fuel brought coastways into the Port of London during the year 1892;"

"And, of the quantities of Coal and Patent Fuel received coastways at the various Ports of the United Kingdom."—*(Sir Henry Hussey Vivian.)*

House adjourned at half after Twelve o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 8th May 1893.*

Several Lords—Took the Oath.

MILITARY LANDS (PROVISIONAL ORDERS) BILL.—(No. 74).

## SECOND READING.

Order of the Day for the Second Reading, read.

THE UNDER SECRETARY OF STATE FOR WAR (Lord SANDHURST), in moving the Second Reading, said, the Bill was merely to confirm certain Provisional Orders under the Military Lands Act, 1892.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Sandhurst.*)

Motion agreed to.

Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Friday next.

CANAL RATES, TOLLS, AND CHARGES PROVISIONAL ORDER BILLS.

Commons Message considered (according to order).

LORD PLAYFAIR moved that this House do concur in the following Resolution communicated by the Commons—namely :—

"I. That Bills of the present Session to confirm Provisional Orders made by the Board of Trade, under the 'Railway and Canal Traffic Act, 1888,' containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, be referred to a Joint Committee of Lords and Commons."

He said this was practically the same Resolution as had been passed by the House of Lords for the last two years to consider Railway Provisional Orders under the Railway and Canal Traffic Act, 1888. The only difference was that on this occasion there were five Canal Bills to be referred to the Joint Committee instead of Railway Bills.

Motion agreed to, and a Message ordered to be sent to the Commons to acquaint them therewith.

VOL. XII. [FOURTH SERIES.]

## BARBED WIRE FENCES BILL.

## SECOND READING.

Order of the Day for the Second Reading, read.

LORD MONKSWELL said, this Bill proposed to give power to Local Authorities having the control of highways to order the removal by occupiers of land of barbed wire fences so placed as to be dangerous to men or animals passing along such highways. If the barbed wire fences were not removed within the time specified in the order—namely, not less than one month and not more than six—a Court of Summary Jurisdiction might direct their removal. Clause 5, which related to fences over which wire was placed for the protection of property under the Act, might require amendment, as it hardly appeared well drafted as it stood. The Bill, he should mention, was not a Government measure, and he merely took it in hand to oblige a private Member of the House of Commons. He would also mention that "highways" in an Act of Parliament included footways, unless the contrary was expressed. When the Bill went into Committee it might, perhaps, be well for the benefit of occupiers and the public that a definition of "highways" should be given. He begged to move the Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Monkswell.*)

THE EARL OF CAMPERDOWN, in moving that the Bill be read a second time that day six months, said, his objection to it was that it dealt with a matter which ought to be left for proceedings under the existing Common Law. In Scotland a judicial decision in reference to highways had been acted upon ever since 1886. He thought it unwise that Bills should be introduced by private Members dealing with matters falling within the ordinary Common Law. This measure was introduced originally in a different form—namely, that any person might serve notice on an owner or occupier on whose lands barbed wire fence was erected requiring its removal within a month, and that in default the Local Authority might remove it and recover the cost of doing so from the owner or occupier. Its form was now very much changed, but these matters had much better be left to

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be dealt with by the ordinary law. Whether he should divide the House on his Motion to reject the Bill would depend very much upon the opinion their Lordships might express. In Scotland it had been decided that a barbed wire fence adjacent to a road must have the barbed wires on the inside towards the land it was to protect, and that the posts must not be more than a reasonable distance apart, which had been held, he believed, by the Courts to be something like 80 feet.

Amendment moved to leave out ("now") and add at the end of the Motion ("this day six months").—(*The Earl of Camperdown*.)

\*LORD THRING earnestly hoped their Lordships would read the Bill a second time, for it involved a much greater principle than at first appeared, expressed in an old Latin phrase which might be stated in English that "you must so deal with your property as not to injure others," and which involved the moral duty of "doing to others as you would be done by." Nothing was more calculated to destroy the amenities of country life than these barbed wire fences placed along highways and public footpaths. What reason was there why a child wandering along the roadside picking cowslips and blackberries should be liable to have its hands lacerated and its clothes torn by these fences, or why people walking along the highways and footpaths should run the risk of being dangerously hurt by them? There were no uglier wounds than those made by these fences. In regard to animals again, could anything be more shocking than to see a dog coming out of them torn and perhaps blinded? It was not right to expose hounds to such dreadful suffering. Plenty of means of protecting property existed without resorting to so barbarous a system. The noble Earl (Lord Camperdown) had said the existing Common Law remedy was sufficient in cases of injury occurring. What was the remedy? If an action were brought the lawyer would argue "contributory negligence," that the person had walked too near the fence, and so on. Was it fair to tell people, who suffered injury in walking along a road or footpath, which they had been in the habit of using daily, that

*The Earl of Camperdown*

they might bring actions? Then it was said an indictment might be brought, but their Lordships knew what that meant. There was, in fact, no practical remedy but that proposed by this Bill. As to the remedy by indictment, their Lordships knew that the sanitary laws had entirely failed so long as the remedy for nuisance was only by indictment. He believed that shutting up public footpaths did more real harm to the interests of property than all the Socialistic speeches which might be made in a century. These fences really interfered with the heritage of the stranger. Was not a wayfarer to be allowed to lie down by the roadside without fear of being injured by those horrible wires? This was, in his opinion, a most righteous Bill, and he hoped their Lordships would assent to it.

\*THE MARQUESS OF HUNTLY said, the speech their Lordships had just listened to was not merely in support of the Bill, but in favour of the abolition of barbed wire fences altogether. He had had experience in these matters at the Aberdeenshire County Council. They had been told what the law in Scotland was under the decision of President Inglis as to putting up barbed wire fences along the roadsides; and he had brought forward a motion at the County Council that steps should be taken for their abolition; but it was pointed out that though sheep might suffer by having their wool torn in these fences, barbed wire was necessary in some parts of the country to keep the wild Canadian animals, imported by some proprietors and tenants, from invading their neighbours' lands: those animals were only kept in the fields by that means. He only mentioned that to show that there were two aspects to this matter. This was not only a question of the footpaths in suburban districts of London or Surrey, but it was one of considerable importance to farmers in the North and in rural districts throughout the country where, in many instances, these barbed wire fences were a necessary protection for the fields. If this Bill were passed the House would be setting up a most invidious distinction in regard to what was dangerous to persons or to animals. Notices would be served upon people who put up these defences to their crops,

and if no attention was paid they would be hauled up before a Court of Summary Jurisdiction. Thus an endless source of litigation would be provided. He had never read a more loosely-drawn clause than Clause 3 of the Bill. Who was to decide whether the fence was dangerous or not? And why should an occupier be called upon to come forward and prove that it was not dangerous? It seemed to him they would be putting into the hands of certain individuals a means of annoying one another, which would lead to no good at all. If the use of barbed wire were to be stopped altogether, by all means let a Bill be brought in to abolish it; but this Bill was only leaving the door open for the Courts to decide whether or not what a man was doing for the protection of his property was dangerous to animals or not—a question which it would not be very easy, perhaps, to decide.

\***THE DUKE OF ARGYLL:** My Lords, I cannot say that I see any harm in this Bill. I believe it is in accordance with the law of Scotland, but I must protest against the strong language which has been used by the noble Lord opposite (Lord Thring), who got up an amount of feeling which I should not have thought possible on the iniquity of barbed wire fences. I am afraid I am guilty of having erected lately many miles of barbed wire. The real truth is that in the wild districts of Scotland and in the North of England there are large farms which have to be fenced, and there are no other means of fencing so effectively and so cheaply as by using this wire. Where you have heavy animals to deal with, their mere leaning against fences is sufficient to break them down, and the barbed wire is not put there to lacerate the animals, still less to tear the hands and clothes of people who pass by. It is simply to give notice to the heavy horses and cattle that if they press against that wire it will have the effect of hurting them. There is no doubt that the barbed wire has a most protective effect in preventing horses and other heavy animals leaning against and breaking down fences. I believe it is not in the least with the design of preventing human beings passing, but simply for the purpose of preventing the egress of animals from the fields, and for that purpose it is necessary. I quite agree with my

noble Friend opposite that landlords ought not to erect such fences where they can be injurious to human beings; but I cannot understand how either man or beast properly using a roadway can come against a barbed wire fence. If a horse tries to leave a field, he may, no doubt, come against the fence; and if he succeeded in getting out, he would, in many districts in Scotland and parts of England, probably go over a steep bank into the sea. At the same time, my Lords, there appears to me to be a perfectly good remedy for any injury that may be done, as the Sheriff has power to move in the matter.

**LORD HALSBURY:** I doubt very much whether this Bill, beyond proposing to provide by a new Statute a new remedy, goes beyond the law as it is now, either in Scotland or in England. Of course, no one is entitled to put up along a highway, either to prevent trespass or otherwise, anything which will cause injury to man or beast. That, I believe, is the law. But if the Bill were read a second time, and words which I will venture to suggest were introduced, they will probably get rid of any objection. The object is not, I take it, to create a new offence, but only to create a cheaper and more easy and convenient remedy than the present procedure by indictment. I observe that some effort has been made to define "highways," and I expect, when you come to deal with that in a Court of Law, you will find some difficulty; but if you were to add the words "so as to create a nuisance," after that which constitutes the offence, the law would remain as it is now, and that which is the object of the Bill simply would remain—namely, to give a cheaper and more efficient remedy than existed before.

**THE LORD CHANCELLOR (Lord HERSHELL):** My Lords, I quite agree with my noble and learned Friend that this does not alter the substance of the law. I apprehend that you would very well define one form of nuisance as putting up a fence adjoining a highway which would make the highway dangerous to persons properly using it. That, undoubtedly, would be a nuisance in point of law. But the noble Earl who moved the rejection of this Bill seemed to think that, as that might now be left to be established in a Court of Law, that was



a conclusive answer to those who desire to deal with the matter by legislation and to pass this measure into law. It is quite true that that Common Law right to have the nuisance got rid of may be enforced by indictment; but everybody knows what the nature of a remedy of that description is, and how inconvenient it is. Surely if it be a right which those passing along the highway have to be guarded against a nuisance of this description, if the existing law is so cumbersome and so inconvenient that by reason of the trouble and expense that would be caused their rights cannot be asserted, that is an occasion when it would be more reasonable and right that you should provide a simple process for enforcing the law. That is all this Bill proposes, and, though it may be open to amendment in Committee, for that reason I support the Second Reading.

THE EARL OF CAMPERDOWN, after what had been said, would not put their Lordships to the trouble of dividing.

Amendment (by leave of the House) withdrawn.

Original Motion agreed to.

Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Friday next.

#### INDIA—CASE OF MR. PHILLIPS.

##### MOTION FOR AN ADDRESS.

\***LORD STANLEY OF ALDERLEY** called the attention of the House to the inconveniences of uniting executive and judicial functions in the same person in India; and asked the Secretary of State for India what notice had been taken by the India Government, or by himself, of the conduct of Mr. Phillips, District Magistrate of Mymensing, as set forth in the Resolution of the Bengal Government of 31st December, 1892, and of the conduct of the Lieutenant Governor of Bengal in respect thereof; and moved for the Government Letter, No. 810, J.D., dated 5th October, 1892, to the address of Mr. Phillips, and the explanation submitted by him to Government. He said, that the case which he was going to bring before the House was a good example of the evils arising from the fusion of Executive and Judicial

powers in India. It would be obvious that when the same person acted as police officer, Magistrate, and Judge justice could not be administered satisfactorily. From the outset the Indian National Congress had urged the necessity of reforming this state of things. If nothing had been done yet, it was partly due to the penury of the Indian Treasury; but, at the same time, if any people had a right to expect a good and sufficient Judicial system, it was the people of Bengal, where the suitors' fees pay for the whole, or nearly the whole, administration of justice in India. The noble Lord the Secretary of State for India might remember that he (Lord Stanley of Alderley) asked his attention to this subject and to Chief Justice Sir Richard Garth's Minute on it in July, 1884. He did not ask his noble Friend what had been done in the matter, since the fall of the rupee accounted for nothing having been done, but he mentioned it because it ought not to be forgotten, and because it added weight to the claim for reform of the Judicial Body. There was a Raja living at Mymensing; he had had a good English education, mixed freely in English society; he had spent large sums in works of public beneficence; not long ago he gave over a lakh of rupees for waterworks in the principal town, when the Lieutenant Governor, Sir Charles Elliott, declared that this Raja "was the leading benefactor of the district." He had also subscribed to most of the Viceroy's funds. This, however, did not avail to protect him, for last year he suffered a terrible disgrace; he was prosecuted under the Penal Code, and placed in the prisoners' dock, to stand there side by side with a common criminal. He had not yet told their Lordships what was the offence for which he was prosecuted; it was as described by Sir Richard Garth, formerly Chief Justice at Calcutta, in his article in India of 1st February last—

"The Raja was erecting a palace at Mymensing, and in building the outer wall of his compound he had inadvertently closed a small drain, which, in the rainy season, helped to carry off the water from the adjoining property. Upon his attention being called to this by the Municipality, the Raja at once proposed to build a more substantial drain at a cost of some Rs. 4,000, of which he had actually paid Rs. 1,000 in advance, and had been thanked for his kindness by the Municipality."

*Lord Herschell*

A similar case happened in this country, and last February Mr. A. Chamberlain questioned the Home Secretary as to the case of a Mr. Sankey whose chimney had been on fire; he had sent his clerk and solicitor to pay any fine that might be imposed, but the Magistrate had issued a warrant for his arrest. Mr. Asquith said that such a course was not usual in the Metropolitan Police Courts, and he concurred with the view of the Metropolitan Courts. Owing to the Raja being away on a shooting expedition, this work was not commenced as soon as it should have been; and Mr. Phillips, who knew of the arrangements made by the Raja and the Municipality, here intervened, and ordered his Deputy to try the Raja under the Criminal Law for a nuisance and malicious mischief, although no complaint had been made by the health officer. The Raja was eventually acquitted of both offences; but the trial, which might have been concluded in a few hours, was protracted to several days, so as to put the Raja to the expense of some £2,000 for counsel, &c. In addition to what he had already mentioned, Mr. Phillips was guilty of the following irregularities—during the trial he sent a posse of policemen with rifles and a number of labourers, who forcibly broke down the Raja's walk of inclosure and re-opened the drain. He constantly interfered with his Deputy during the trial of the case, and directed his action. This Deputy Magistrate was very much to blame, but as he appeared to have acted under compulsion of the District Magistrate he would not mention his name. The Raja appealed on the 6th August last to the Sessions Judge, who in the course of the proceedings said that Mr. Phillips

"Had acted improperly in writing to him while the appeal was pending."

He would now read to the House the Lieutenant Governor of Bengal, Sir Charles Elliott's, opinion of Mr. Phillips' conduct, as published in a Resolution of the Bengal Government dated 31st December—

"In regard to all judicial matters connected with this case, the Lieutenant Governor accepts the decisions of the High Court and of the District Judge of Mymensing as final, and he has confined his consideration of the Raja's Memorial and of Mr. Phillips' explanation to those points

on which Mr. Phillips' good faith and discretion have been impugned.

"2. In respect of the latter question whether a sound discretion was exercised or not, Sir Charles Elliott must at once say that he considers that the prosecution of the Raja need not have been instituted. Looking to the position and the status of the Raja Bahadur in the district, to the fact that the Raja has been honoured by Government, and has been a great benefactor of the town of Mymensing, it was the obvious duty of the Magistrate of the district to have exhausted every means in his power of amicably settling a matter of such a nature as the obstruction of a drain before resorting to the extreme measure of prosecuting the Raja in a Criminal Court; and it does not appear that he did exhaust all such amicable measures, or even accept them when proffered. Mr. Phillips' indiscretion was aggravated by the fact that he instituted the prosecution of his own motion without consulting any medical authority or sanitary expert, and without any complaint having been made to him, that the filling up of the drain had caused a nuisance. His subsequent procedure was not less unwise. After the prosecution had been instituted, but before proceedings had been taken in Court, the Raja arranged with the Municipality to construct a main drain to carry off the water which had been obstructed, and actually deposited Rs. 1,000 with the Chairman for this purpose. The Municipal Commissioners in meeting then thanked the Raja for his action. Mr. Phillips did not, however, withdraw from the prosecution, but recorded an order that he would do so if the Raja would knock down the wall which obstructed the drainage, re-open the obstructed drain all along the bye-lane, and then build the main drain above referred to. Moreover, after the prosecution had commenced, although the counsel for the Raja proposed in Court to make a temporary drain within a week to carry off the water and then to complete a main drain according to any plan which might be approved, and although it appears that the Chairman of the Municipality was prepared to accept this proposal, Mr. Phillips rejected it at once, and on the same day, and while the prosecution was still pending, caused an opening to be made in the obstructing wall, and re-excavated and restored the bye-lane drain. It appears to the Lieutenant Governor that throughout all these proceedings the action of Mr. Phillips was indefensible and characterised by a regrettable want of that discretion, suavity, and common sense which the Government has the right to expect from a District Magistrate of his experience in the service."

So far good, and he had now nothing more to say with regard to Mr. Phillips, as he had been removed to Monghir, and substantial justice had been done with regard to him; but he hoped that the Secretary of State would inform the House whether this had been done at the instance of the Viceroy or of himself. He said substantial justice, because it was as difficult for the Indian Government to dismiss an incompetent or mis-

behaving Covenanted Civil servant, as it used to be for a Bishop to get rid of a bad clergyman. It was possible that Monghir was a better post than Myensing, and that the friends of the District Magistrate might say that he was promoted; but Mr. Phillips would feel that it was not so. But the next paragraph of Sir Charles Elliott's Resolution was a perfect *non sequitur*, and after the censure which he had just read it proceeded to attempt to whitewash Mr. Phillips as follows:—

"3. At the same time Sir Charles Elliott is convinced that there is no justification whatever for any imputation on Mr. Phillips motives in conducting this prosecution. That Mr. Phillips was satisfied that it was his duty, and no more than his duty, to repress by all legitimate means what appeared to be a high-handed and illegal obstruction on the Raja's part, there can be no doubt. For months previous to the institution of the prosecution the attention of the Raja had been called by the Municipality to the obstruction he had caused by filling up the ditch along the bye-lane and building a wall across it; and although he had admitted his liability to carry off the drainage water therefrom, and had promised to construct a main drain, he had deliberately neglected to take any action in the matter until the Magistrate personally inquired into the condition of the premises. He was acting in wilful defiance of his own promise. Mr. Phillips was indignant with what he saw, and put the law in force. The Lieutenant Governor has commented on his indiscretion, but he has no doubt that he acted in what he conceived to be in the public interest and in good faith, and with perfect integrity of motive and honesty of purpose."

Now he was as ready to believe in the perfect integrity of motive of Sir Charles Elliott as Sir Charles Elliott was with regard to Mr. Phillips; and he was, moreover, certain and convinced of the integrity of purpose of the noble Marquess the Viceroy; but unless it were shown that the Viceroy has taken some steps to remedy the misconduct of Mr. Phillips, and the attempt to whitewash him by Sir Charles Elliott, the Viceroy would fall under the imputation of *judex damnatur cum nocens absolvitur*. It was said that the Lieutenant Governor of Bengal was coming to England on leave. That was fortunate, as it would facilitate the laying aside of the several unpopular measures he had brought in. He had reconsidered the provisions of the Mofussil Municipalities Bill; and the Behar Cadastral Survey Bill, which is equally unpopular, might perhaps also be reconsidered. It was possible he might

not return to India, for he had been informed that he intended to endeavour to get into another place to swell Mr. Gladstone's majority. Though he might be glad if Sir Charles Elliott left Bengal, he would be sorry if a man of his undoubted energy and capacity succeeded in finding a place among Mr. Gladstone's followers; but, perhaps, if he did present himself on the hustings, the question of "Who tried to suppress trial by jury in India?" which would inevitably be asked of him, would effectually prevent his disturbing the Liberal Party as he had disturbed Bengal. He would conclude with a sentence from Sir Richard Garth, who wrote that—

"He thinks his readers will agree with him that the subordinate Magistrate who tried this case is virtually the same person who directs the prosecution."

He says—

"This is a disgrace, not so much to the Magistrates concerned, who are the mere creatures of this system, but to the Government of India, who cling to that system to give what they call *prestige* to the District Magistrate."

Moved—

"That an humble Address be presented to Her Majesty for the Government Letter, No. 810, J.D., dated 5th October, 1892, to the address of Mr. Phillips, and the explanation submitted by him to Government."—(*The Lord Stanley of Alderley*.)

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): My Lords, the first part of my noble Friend's question, which I apprehend arose from the late Lord Chief Justice's Memorandum or speech, has reference to the inconveniences of uniting the Executive and Judicial functions in the same person in India. My noble Friend was fair enough to say he did not suppose that in the present condition of the finances of India any great changes could be made in this respect. As the noble Lord has quoted from Sir Richard Garth, I am bound to state that I in no way admit Sir Richard Garth was justified in saying that the Government of India keep up this system for the purpose of enhancing the *prestige* of these officers. It is admitted on all hands that is contrary to right and good principle that the Civil and Judicial powers should be united in one person. That is not a matter in dispute. The difficulty is simply this—that if the

present system in India is altered it will be necessary to double the staff throughout the Empire there, and it is impossible that the Government of India can find means at the present time of making this reform. Having said this upon the general matter, I hope, at the same time, your Lordships will understand that I am in no way insensible to the inconveniences which arise from the union of those two functions. As to the special matter the noble Lord has raised, the account he gave of the case is, no doubt, in the main correct. The whole matter arose about a drain, which the Raja of Mysenung was liable, in the opinion of the District Magistrate, to put in order, and it seemed that the obstruction in the drain was not removed by the Raja within the time specified. So far there is no dispute. But as to the conduct of the Magistrate, the noble Lord has read the opinion of the Lieutenant Governor of Bengal on the proceedings of that official. The effect of it is that the Magistrate was, in the main, justified in the action he took by the strict letter of the law. The Raja, as the noble Lord has said, is a person of the very highest character and standing; he is a man of high position, and recognised as a public benefactor by the Government, and it is obvious that any man of common sense and discretion, in which, as the Lieutenant Governor says, the Magistrate appears unfortunately to have been singularly deficient, would not have proceeded in this way against the Raja until every possible effort to arrange the matter amicably had failed. That is the sum total, plainly stated, of the offence of the Magistrate. I do not wish to underrate it, for it was a grievous want of discretion, and a want of discretion of that kind which, no doubt, being exercised by a person in that position, does not reflect any credit on the Government. It appears to me that throughout those proceedings the action of Mr. Phillips was indefensible, for, as the Lieutenant Governor says, it showed a remarkable want of that discretion, suavity, and common sense which the Government has a right to expect from a District Magistrate of experience and standing in the service. In my opinion, the Lieutenant Governor of Bengal took a right and proper course

in pointing out the faults which he believed the Magistrate had committed, and, at the same time, absolving him from the charge of having been actuated by bad motives. It is impossible over here to understand thoroughly the details of a local Indian matter of this kind. The Lieutenant Governor, on the other hand, was in a position to understand and judge the case. I protest against the notion that the Viceroy should interfere in local matters such as this. Of course, if the Raja had presented a Memorial to the Viceroy asking him to take notice of what had occurred, the Viceroy would have been bound to do so; but no such Memorial was presented. Neither the Viceroy or the Secretary of State ought to interfere in a case of this kind when there is no ground for thinking that the Lieutenant Governor has been guilty of any indiscretion. He expressed that kind of censure of Mr. Phillips which, as far as I understand the case, would have been expressed by any person holding a high position and looking fairly and justly at the matter; and in fairness to Mr. Phillips, who had conducted himself satisfactorily before, he added, knowing that motives had been attributed to the Magistrate, that he did not believe he had been actuated by anything more than a sense of public duty, though he had performed it with a great want of common sense. I see no reason to find fault with the action of the Lieutenant Governor. It seems to me to be thought that the Viceroy is bound to interfere in every local matter which may arise in any part of India, and that, if he will not do so, the Secretary of State should be invoked. I protest altogether against such a system. When you have appointed men to conduct such a Government as that of Bengal, and you find that they have dealt impartially and fairly with a case, I do not think it is advisable that the Viceroy should interfere. I am not surprised that the case has excited a good deal of feeling in India, and especially in the district; but I am satisfied that it is not a matter in which either the Viceroy or the Secretary of State ought to interfere, unless the Lieutenant Governor had been guilty of great indiscretion and want of knowledge of his duty. I do not say anything in defence of Mr. Phillips' conduct; but I

say the matter has been sufficiently dealt with. I quite agree in the condemnation of Mr. Phillips' action which has been expressed, and I think the case may be allowed to rest here. I do not think it at all desirable to produce the Papers which my hon. Friend has asked for, inasmuch as the Resolution of the Government of Bengal, which states the Phillips' case with perfect truth and fairness, has been published.

VISCOUNT CROSS: My Lords, I should like to say, though I know nothing at all about this particular case, because it has only lately happened, that in regard to the main principle involved, that is uniting the Executive and Judicial functions, it is a matter of the greatest importance. It is a matter which I was anxious to deal with myself. What the noble Earl opposite has said is perfectly true—that in the present state of the finances of India it is quite impossible to carry out this improvement, which would be of vast benefit to India if it could be effected. I hope when the noble Earl has discovered some means of improving the finances of India that matter will be taken in hand. I think in this case the censure of the Lieutenant Governor was entirely deserved, and that it is very unfortunate that Magistrates should treat men as this Raja was treated, because it is absolutely essential these Rajas should know that at the hands of the English Government they will always receive justice, and that they will not be insulted.

\*LORD STANLEY OF ALDERLEY said, as far as the answer had gone he had every reason to be satisfied, and he, therefore, withdrew his Motion. This matter had excited great interest in the locality, and what had been said would allay the feeling of discontent which had been aroused. As the noble Earl had said the Papers could not be produced, he would not press his application for them; but, at the same time, it would hardly benefit Mr. Phillips that his explanation could not be produced.

Motion (by leave of the House) withdrawn.

#### PUBLIC ACCOUNTS (HOUSE OF COMMONS).

Message from the Commons for leave for the Clerk of the Parliaments to attend

*The Earl of Kimberley*

to be examined as a witness before the Select Committee of that House: Leave given accordingly, and a message ordered to be sent to the Commons to acquaint them therewith.

#### HOUSE OF LORDS OFFICES.

Second Report from the Select Committee made, and to be printed: To be considered on Friday next. (No. 88.)

#### JOURNAL COMMITTEE.

Report from, that the one hundred and twenty-fourth volume of the Journals (55th and 56th Vict. 1892), with an Index, was ready for delivery; read, and ordered to lie on the Table; and the said volume ordered to be delivered in the same manner as the preceding volumes of the Journals have been delivered.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 1) BILL. (No. 70.)

Read 3<sup>a</sup> (according to order), and passed.

#### RIVERS POLLUTION PREVENTION BILL [H.L.] (No. 64.)

House in Committee (according to order); Bill reported without Amendment; and re-committed to the Standing Committee.

#### ELECTRIC LIGHTING PROVISIONAL ORDER (No. 5) BILL [H.L.]

A Bill to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Reading—Was presented by The Lord Playfair; read 1<sup>a</sup>; to be printed, and referred to the Examiners. (No. 89.)

#### ELECTRIC LIGHTING PROVISIONAL ORDER (No. 6) BILL [H.L.]

A Bill to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts, 1882 and 1888, relating to Islington—Was presented by The Lord Playfair; read 1<sup>a</sup>; to be printed, and referred to the Examiners. (No. 90.)

#### CUSTOMS AND INLAND REVENUE BILL.

Read 1<sup>a</sup>; and to be read 2<sup>a</sup> To-morrow; and Standing Order No. XXXIX. to be considered in order to its being dispensed with.—(*The Lord President [E. Kimberley]*).

COMMITTEE OF SELECTION FOR THE  
STANDING COMMITTEE.

Report from, that the Committee have added the Lord de Ros to the Standing Committee; read, and ordered to lie on the Table.

House adjourned at twenty minutes  
past Five o'clock, till To-morrow,  
half past Five o'clock.

## HOUSE OF COMMONS,

*Monday, 8th May 1893.*

## CHESHIRE LINES RAILWAY BILL.

## THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. M'Lagan.*)

MR. WEIR (Ross and Cromarty) : I object.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) : I hope my hon. Friend will not object to this Bill. It has been through all its stages, and has come down from the Committee without Amendment. I would point out to my hon. Friend that it is unusual, when a Bill has been through Committee, and has received the approval of the Committee, that it should be opposed in its final stage without any reason whatever being assigned for it.

MR. WEIR : I object.

\*MR. A. C. MORTON (Peterborough) said, that some hon. Members gave notice that unless between the First and Third Reading of these Railway Bills something was done in the matter of railway rates they would oppose the Bills on the Third Reading, and, if necessary, throw them out altogether.

\*MR. SPEAKER : Does the hon. Member persist in his objection ?

MR. WEIR : I do.

Third Reading deferred till To-morrow.

MANCHESTER, SHEFFIELD AND LINCOLNSHIRE RAILWAY BILL (*by Order.*)

## CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into consideration."—(*Mr. M'Lagan.*)

\*MR. WEIR said, he objected to the Bill being considered. It was with extreme reluctance he opposed the measure; but it was in consequence of the failure of the President of the Board of Trade to give effect to the promise he had entered into with the House some weeks before Easter. The right hon. Gentleman promised at that time that, unless matters were satisfactorily arranged between the traders and the Railway Companies, he would take such steps as might be necessary to compel the Railway Companies to consider the interests of the traders. What had the right hon. Gentleman done in this direction? Absolutely nothing! It was true that last Friday evening he put on the Paper a Motion for the appointment of a Committee to consider the question of Railway Rates and Charges; but he (Mr. Weir) and one or two other Members objected to the composition of that Committee, and, therefore, it stood over. For the benefit of the right hon. Gentleman he might tell him he would continue to object to that Committee unless its proposed composition were altered, and that he would stay every night, and all night, if necessary, for the purpose of doing so. The constitution of the Committee was most unsatisfactory, inasmuch as it was proposed to give Scotland only one Member—England was to have 12, Ireland 3, Wales 1, and Scotland 1: he insisted that Scotland should have a larger representation. There were nine Scotch Members on the Treasury Bench—what had they to say to the composition of this Committee? How would they face their constituents if they allowed, without a protest, Scotland to be treated thus? Whilst there was only one Member for Scotland on the Committee, places had been found for four Railway Directors. With the names submitted to the House for the constitution of that Committee he and other Members, both behind Ministers and below the Gangway on this side of the House, thoroughly disagreed, and they did not intend to allow the Committee to be appointed in its present form. He begged to move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Weir.*)

Question proposed, "That the word 'now' stand part of the Question."

**MR. MUNDELLA :** My hon. Friend objects to the consideration of the Manchester, Sheffield, and Lincolnshire Railway Bill, as it comes back from the Committee to the House, because he is not satisfied with the proposal on the Paper for the appointment of a Committee on Railway Rates and Charges. I fail to see how the hon. Gentleman finds any connection between the two matters. If all the Railway Bills before the House were rejected, it would have nothing whatever to do with the composition of the Committee. That Committee is composed, as old Members of the House know, of those hon. Gentlemen who represent the different sections of the House. The names are now before the House, and it is for the House to deal with them, and, if it is thought to be necessary to make alterations in its composition, the House will do it. But I do not see why the hon. Gentleman should oppose the consideration of this Bill on that account. The hon. Member for Peterborough has said that when we allowed the First and Second Reading of this and other Railway Bills, it was on the condition that something should be done in the matter of railway rates and charges. Something has been done, and we have proposed the appointment of this Committee to report to the House how these disputes between the Railway Companies and the traders shall be arranged. I hope we are not going to waste the time of the House this afternoon in the discussion of a Private Bill which has passed through Committee, and only comes before us for consideration. I hope the hon. Member will not persist in opposing this Bill.

**\*SIR J. WHITEHEAD** (Leicester) said that, having taken some part in the House in the discussion of railway rates, he thought he ought to say that he sympathised, to a very great extent, with what had been said by the hon. Member for Ross and Cromarty. But, at the same time, he could not help

saying that the course the hon. Member had taken in moving the rejection of the Manchester, Sheffield, and Lincolnshire Bill did not altogether meet with his approval, or with the approval of those who were associated with him. In all probability, in the course of that Sitting, there would be an opportunity of discussing the Reference which had been put on the Paper with regard to railway rates, and also the names suggested. When that time arrived, he should probably have something to say upon the proposed constitution of the Committee, and also upon the terms of the Reference; but, in the meantime, he desired to make an earnest appeal to the hon. Member not to interrupt the progress of the Bill.

**\*MR. A. C. MORTON** said, this was their only way of dealing with the question of railway rates. If they allowed the Railway Companies to get all their Bills through they would then laugh at the House. He did not say the hon. Member for Ross and Cromarty should go to a Division on this Bill; but he did say he had done quite right in calling attention to the matter. In his opinion, they were being played with by the Board of Trade, and so long as they gave way to the officials of the Board of Trade so long would they get nothing done. He hoped the House would have the courage some day before long to throw out one of those Bills, and so teach the railway monopolists and the Board of Trade that the traders and agriculturists of the country were not to be played with.

**\*MR. SPEAKER :** Does the hon. Member withdraw his objection?

**\*MR. WEIR** said that, after the discussion which had taken place and the statement of the President of the Board of Trade, he would withdraw his objection to the Bill; but he would warn the right hon. Gentleman that he would oppose any and every attempt to appoint the proposed Committee unless the claims of Scotland were fairly considered.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill considered; Amendments made; to be read the third time.

# QUESTIONS.

## NEWFOUNDLAND.

SIR CHARLES DILKE (Gloucester, Forest of Dean) : I beg to ask the Under Secretary of State for the Colonies whether there is now any objection to lay upon the Table of the House Papers relating to Newfoundland, and especially the important and satisfactory Despatch described in the telegrams from Newfoundland, which have appeared in the newspapers as having been recently addressed by the Marquess of Ripon to the Newfoundland Government ?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar) : The Correspondence referred to is not yet complete, and it would be premature to present it. I should, perhaps, add that the telegram which appeared in the Press on the 29th ultimo is not complete, and is, therefore, not altogether accurate.

## THE CASE OF MR. SEYMOUR LUCAS, A.R.A.

MR. SAMUEL MONTAGU (Tower Hamlets, Whitechapel) : I beg to ask the Under Secretary of State for Foreign Affairs if any satisfactory reply has been received from Her Majesty's Ambassador at Madrid respecting the claim for compensation from Mr. Seymour Lucas, A.R.A. ; and whether further steps will be taken to obtain justice from the Spanish Railway Company, over which the Spanish Government has control, for serious injury inflicted upon a British subject while travelling on a Spanish railroad near Burgos ?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) : This matter has engaged the constant attention of Her Majesty's Ambassador, who reports, under date of the 1st instant, that he has now some hopes of an amicable settlement.

## THE GAIRLOCH MEDICAL OFFICER.

MR. WEIR (Ross and Cromarty) : I beg to ask the Secretary for Scotland whether he is aware that the Parochial Medical Officer at Gairloch has declined to act as District Medical Officer with the County Medical Officer for Ross and

Cromarty, chiefly because the latter is engaged in private practice ; if so, what is being done to look after the health of the population and the sanitary condition of that district ?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) : In reply to the hon. Member, I find, on inquiry, that the statement in the first portion of his question is accurate. The Board of Supervision is in communication with the District Committee on the subject. I may add that the County Medical Officer is by Statute Chief Medical Officer of the district.

## THE LANCASHIRE MAGISTRACY.

MR. HANBURY (Preston) : I beg to ask the Chancellor of the Duchy of Lancaster if he can state how many County Magistrates within the Duchy have been brought to his notice as Chancellor for having refused to take the declarations of members of a different political Party at election time and registration time during his tenure of office ; and whether there is any official record of such cases ?

THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.) : The assumptions on which the hon. Member's question appears to rest are incorrect, nor would it be fitting for me to make such a statement as he asks for. There is no official record of such cases.

MR. HANBURY : Will the right hon. Gentleman explain what assumption of mine is incorrect ?

MR. BRYCE : The assumption that there was any special reference to Lancashire, or to County Magistrates specially.

MR. HANBURY : Then the right hon. Gentleman had no special information as to Lancashire Magistrates when he made that statement ?

MR. BRYCE : I never said anything of the sort. Such an inference would be quite unwarranted.

MR. HANBURY : I have a right to ask this question. The right hon. Gentleman, speaking as the Chancellor of the Duchy of Lancaster, brought certain charges against certain County Magistrates. Were those Magistrates within the Duchy of Lancaster or not ?



MR. BRYCE : The limits of Order in answering questions are very narrow, and, therefore, I will only say that I did not bring any charges whatever. The statements I made were quite general.

#### THE GOLD STANDARD OF BRITISH HONDURAS.

MR. WEIR : I beg to ask the Under Secretary of State for the Colonies whether the reasons which induced Her Majesty's Government in 1887 to abrogate the gold standard for British Honduras, and to substitute therefor a silver standard, composed of the coins of the Republics of Guatemala, Chili, and Peru, any longer exist; and whether a decision has now been arrived at with respect to the Petition from the Colony wherein the inhabitants unanimously and urgently pray Her Majesty to abolish the present silver standard and to restore the gold standard as it formerly existed?

MR. SYDNEY BUXTON : I regret that I can only refer the hon. Member to my answer of the 13th ultimo. He will be aware that a question of such importance, presenting several points of difficulty, requires mature consideration before a decision can be taken; but the decision will now, I trust, not be long delayed.

#### THE INDIAN SALT DUTY.

MR. CAINE (Bradford, E.) : I beg to ask the Under Secretary of State for India whether the Secretary of State has yet received a Memorial from the fishing people on the Kanara coast protesting against the prohibition of the manufacture and use of earth salt for curing fish; and whether, seeing that the curing of fish by salt is the only means of livelihood for thousands of the poorer fishers on the Kanara coast and that great distress must result should the prohibition take place, the Secretary of State will at once communicate with the Governor of Bombay, directing him not to proceed with such prohibition until the whole facts have been considered by the Secretary of State?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.) : No, Sir; no such Memorial has been received by the Secretary of State; and, so far as he is aware, there has been no recent change of the law on the subject of the use of earth salt, either in South Kanara, which

belongs to the Madras Presidency, or in North Kanara, which belongs to the Bombay Presidency. My hon. Friend's question will be forwarded to the Governments of Madras and Bombay, with a request that they will report whether any representations have been received or any fresh orders issued on the subject.

#### THE BHOPAL-UJJAIN RAILWAY.

MR. CAINE : I beg to ask the Under Secretary of State for India whether the Secretary of State has decided that the proposed line of railway from Bhopal to Ujjain shall be on the metre gauge, and that the greater part of the money will be provided by the Gwalior State, with a view to opening direct communication between Ujjain and the capital; whether he is aware that the line already running between Gwalior and Bhopal, as well as the trunk line from Bombay to Bhopal and Gwalior, is made on the 5·5 feet gauge, thus necessitating a break of bulk on all traffic coming to Ujjain by the new line; and if protests have been lodged by both the Begum of Bhopal and the Maharajah of Gwalior; and, if so, is it intended to insist on the decision of the India Office to lay the metre gauge between Bhopal and Ujjain?

MR. G. RUSSELL : No, Sir; no decision has yet been made as to the gauge of the line by which it is proposed to connect Bhopal, on a broad gauge railway, with Ujjain, on a narrow or metre gauge railway. The Gwalior State offered to provide funds for a metre gauge line. The answer to my hon. Friend's second question is, Yes. The Secretary of State has no knowledge of the protests referred to by my hon. Friend.

#### THE KANAKA LABOUR TRAFFIC.

MR. SAMUEL SMITH (Flintshire) : I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the account of an interview with Mr. Robert Louis Stevenson, in *The Sydney Presbyterian* of 25th March, relative to the Kanaka labour traffic, wherein he states that there is the greatest difficulty in any possible supervision of the labour traffic by the Queensland Government as it is impossible for a Government Agent to know the 80 languages which are spoken in the islands; and whether he is aware

that, in many cases, the labourers are returned to the wrong places, which involves their death, and which no Government Agent is sufficiently well-posted to prevent; and that it is the custom, when it is desired to compel labourers to revolt, to bring the ship up opposite an enemy's bay, and tell the men they are to be landed there where their lives would be in danger, and give them, as a forced alternative, the choice of re-indenturing; and what steps are in contemplation to deal with these evils?

\***MR. SYDNEY BUXTON**: I have read the interview referred to. As far as I can understand Mr. Stevenson's views, he is in favour of "recruiting" under proper supervision. The statements made by him in regard to the labour traffic appear to be founded on hearsay evidence, and seem to refer to the recruiting as carried on under the old system, which unquestionably led to much abuse. Papers are now being printed, and will soon be circulated, which will, I hope, prove to my hon. Friend that the conditions have been entirely altered, and that the greatest care is now taken to insure that cruelty, coercion, and kidnapping shall be eliminated from this labour traffic. I may add, as regards recruiting by foreign vessels in places under British protection, that Her Majesty's Government are considering how unsuitable practices can be prevented, and are in correspondence with the High Commissioner for the Western Pacific, who is shortly to visit the Gilbert Islands and to report upon the question after consulting with the Native Chiefs.

**MR. J. E. ELLIS** (Nottingham, Rushcliffe): Can the hon. Gentleman say when the Papers will be presented?

**MR. SYDNEY BUXTON**: The printers are now dealing with them. I do not know how long it will be before they are ready, but I will inquire.

#### THE DEATH DUTIES.

**COMMANDER BETHELL** (York, E. R., Holderness): I beg to ask the Chancellor of the Exchequer whether he can state the amounts of the Succession and Estate Duties paid respectively by land and other real property in each of the three divisions of the United Kingdom?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby): The figures can only be given

approximately. As nearly as I can state them, the amounts of the Succession and Estate Duties paid by land and real property, including houses, for 1892-3 was £1,245,000 (Succession Duty, £1,166,000; Estate Duty, £79,000). Of this sum, about £1,020,000 falls to the share of England, about £100,000 to Ireland, and about £120,000 to Scotland.

#### TRACT DISTRIBUTION IN MALTA.

**MR. SAMUEL SMITH**: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that recently an English lady was taken into custody in Malta, detained for 24 hours, and then given only a single day for leaving the island, merely for having distributed a number of religious tracts while travelling through the island; and whether any steps will be taken to prevent the repetition of such an occurrence?

**MR. SYDNEY BUXTON**: Perhaps I may be allowed to answer this question. There is no truth, as far as we are aware, in the statement. In March, 1891, two Protestant ladies who had been distributing scriptural cards in the streets of Valetta were detained for about two hours in the police station to protect them from molestation by the people, who had been informed that the cards were intended to Protestantise them. Last March one of these ladies, Mrs. Lundin Brown, requested the Governor to provide a military escort to protect her during her stay in Malta with a view to the distribution of similar literature. The Governor very properly refused the military escort; but a plain clothes policeman was ordered to watch unseen to protect her from molestation should she carry out her intention. But shortly afterwards she left the island without anything further coming to the knowledge of the police.

#### CIVIL SERVANTS AS COMPANY DIRECTORS.

**MR. FISHER** (Fulham): I beg to ask the Secretary to the Treasury whether it is now the established practice of the Colonial Office to forbid the Chiefs of Departments and other highly-placed officials from seeking election as Directors of retail trading companies in which their subordinates, whose promotion depends upon their recommendation, are

shareholders; and whether, in the interest of the Public Service, he is prepared to issue a Treasury Minute, whereby in future no high official in any branch of the Civil Service shall act as a Director of such a retail trading company?

**THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The whole question of Directorships held by Civil servants was carefully considered by the late Government upon the Second Report of the Royal Commission on Civil Establishments, with the result that the following Rule was laid down by Order in Council, namely:—

“No officer shall be allowed to accept any part in the management of any society or any trading, commercial, or financial company of whatever description which would require the attendance of such officer at any time between the hours of 10 a.m. and 6 p.m.”

I agree with this Rule, which is based on the principle that Government does not interfere with a Civil servant's employment of his time outside his official duties. The Rule in force at the Colonial Office, which is quoted by the Royal Commission in their Second Report, is within the limits of the Order in Council, and is, therefore, within the absolute discretion of the Secretary of State, or any head of a Department.

**MR. HANBURY:** The right hon. Gentleman speaks of Civil servants engaged in the management of companies. Does the Rule exclude them from acting as auditors?

**SIR J. T. HIBBERT:** It excludes them from acting in any capacity between the hours of 10 a.m. and 6 p.m.

**MR. BARTLEY** (Islington, N.): May I ask the right hon. Gentleman whether he thinks it is a desirable state of things that head clerks in a Department should be dependent upon the votes of their subordinates for the retention of their positions as Directors of trading companies?

**MR. FISHER:** And would it conduce to the discipline of a Department that the heads of it should canvass their subordinates for Directorships in a Civil Service Company? That is the whole gist of my question, and the right hon. Gentleman has evaded it.

**SIR J. T. HIBBERT:** I deny that I tried to evade it. I answered it fully. I quite agree that no person in such a position ought to be allowed to canvass

his subordinates for such appointments and that if in any Department such proceedings took place they ought to be stopped.

#### NEW STEAM SERVICE BETWEEN AUSTRALIA AND CANADA.

**MR. HOGAN** (Tipperary, Mid): I beg to ask the Secretary to the Admiralty whether he is aware that a new steam service has been inaugurated between Australia and Canada, Sidney and Vancouver being the terminal points, and that the Canadian Government has promised a subsidy of £25,000; whether any application has been made for the Admiralty subvention to the steamers engaged in this service as armed cruisers; and, if so, whether any decision on the subject has yet been arrived at; and whether, having regard to the Imperial importance and the great commercial advantages of establishing direct and regular communication between Australia and Canada, Her Majesty's Government are prepared to co-operate with the Australian and Canadian Governments in promoting and encouraging the development of this new line of steamers?

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. E. ROBERTSON, Dundee): I believe the facts are as stated in the first paragraph of the question. No application has been made to the Admiralty in respect to this service. The third paragraph raises a large question of general policy, the decision of which does not rest with the Admiralty.

#### PAROCHIAL CHARITY ACCOUNTS.

**MR. HERBERT LEWIS** (Flint, &c): I beg to ask the Parliamentary Charity Commissioner whether Trustees of Parochial Charities are under a legal obligation to submit the accounts of such Charities to the annual meeting of the Parish Vestry; and, if that is the case, what steps can be taken to compel Trustees who decline or omit to fulfil their duties in this respect to submit such accounts to the inspection of parishioners?

**THE PARLIAMENTARY CHARITY COMMISSIONER** (Mr. T. E. ELLIS, Merionethshire): It is provided by Section 44 of the Charitable Trusts (Amendment) Act, 1885, that in the case of Parochial Charities the

Trustees shall deliver a copy of the annual accounts of the Charities to the churchwardens of the parish or parishes with which the objects of such Charities are identified, who shall present the same at the general meeting of the Vestry of such parishes next after the time appointed for the delivery of those accounts, and shall insert a copy thereof in the minutes of the Vestry. Section 45 of the same Act provides that the Charity Commissioners may make such orders as they may think fit in relation to the delivery or transmission of the said accounts, and that such order shall be executed by all Trustees and persons from whom the accounts to which they may relate are required. In any case in which the duty thus imposed upon Trustees is shown not to be discharged by them the Commissioners will be prepared to take steps for making and enforcing the requisite order for securing compliance with the law.

#### INSUBORDINATION IN THE ARMY.

MR. BROOKFIELD (Sussex, Rye) : I beg to ask the Secretary of State for War whether it is the case that during the last few months there have been several acts of open insubordination in the Army ; whether the accounts of such acts of insubordination have in any, or in all cases, been exaggerated ; whether any special steps are being taken to restore or improve the discipline of the Army ; and whether the law provides any punishment for circulating exaggerated accounts of insubordinate conduct, to the prejudice of good order and military discipline ?

\*THE SECRETARY OF STATE FOR WAR (MR. CAMPBELL-BANNERMAN, Stirling, &c.) : I am inclined to think that some of the recent cases of insubordination, which have undoubtedly occurred, have excited somewhat exaggerated comment. No special steps are being taken, nor are any such steps considered by the Military Authorities to be necessary, for the purpose of restoring or improving discipline. I am not aware of any law of the nature indicated in the last paragraph of the question.

#### PROMOTION IN THE POSTAL SERVICE.

MR. MAURICE HEALY (Cork) : I beg to ask the Postmaster General

whether, under the Regulations of the Post Office Department, post office *employés* transferred from one office to another are placed in the lowest class of the office to which they are transferred, irrespective of their classification in the office from which they come, and though the transfer may have been made for the convenience of the Department ; whether, under this Rule, the person transferred, no matter what his length of service, is the junior for the purposes of promotion to the most recent appointment in the new office ; whether this rule exists in any other branch of the Civil Service ; and whether it is the case that it formerly existed in the Customs Department and was abolished with great advantage to the Service ?

THE POSTMASTER GENERAL (MR. A. MORLEY, Nottingham, E.) : In the Post Office the Rule is as stated in the first two paragraphs of the hon. Member's question. A contrary Rule—a Rule under which an officer transferred from one office to another should enter his new office according to his years of service—while an advantage to himself, would be a disadvantage, and, as it appears to me, an unfairness, to all those over whose heads he passed. At the same time, in the comparatively few cases in which an officer is transferred, not at his own request and not on the score of misconduct, the Department does what it can, with a due regard to the interests of others, to protect him from injury. I am not aware what the rule is in other Departments of the State.

#### GARRYDOOLIS POSTAL SERVICE.

MR. FINUCANE (Limerick, E.) : I beg to ask the Postmaster General whether he has received a Memorial signed by Rev. John O'Sullivan, Pallasgreand, and by about 40 of his parishioners, praying that a sub-post office be established at Garrydoolis, County Limerick ; whether he is aware that the two nearest post offices—namely, Newpallas and Killeely, are seven and five miles respectively from Garrydoolis ; and will he remedy this inconvenience by granting the prayer of the Memorial ?

MR. A. MORLEY : Yes, Sir ; the Memorial referred to in the question is probably one which I received from

the hon. Member himself on the 5th instant. I will have inquiry made into the subject.

#### SLAVERY IN EAST AFRICA.

MR. THOMAS BAYLEY (Derbyshire, Chesterfield): I beg to ask the Under Secretary of State for Foreign Affairs if he has any further information to give the House with regard to the escaped slave who was taken by the police of the East African Chartered Company from the protection of the British flag and ordered back to her owner by the administrator in the Company's Court, and finally released from enforced servitude by the missionary buying her freedom?

SIR E. GREY: We have received no official Reports on this case. We understand that there has been Correspondence on this subject between the British East Africa Company and the Bruce Road Free Methodist Church, in which the question, which is connected with that of the reception of fugitive slaves at Mission Stations, has been discussed.

#### THE IMPERIAL INSTITUTE.

MR. MACFARLANE (Argyll): I beg to ask the Chancellor of the Exchequer if he will reconsider the proposal to charge the cost of bringing Native Indian troops to this country to form part of a London pageant to the Revenues of India, and charge the amount to the British taxpayer?

SIR W. HARCOURT: My hon. Friend should address this question to the India Office. I have no cognisance of it. It has not been brought to the notice of the Treasury at all.

MR. MACFARLANE: Has no Correspondence passed between the India Office and the Treasury on the subject?

SIR W. HARCOURT: I am informed not.

MR. MACFARLANE: Then I beg to give notice that I will call attention to this matter in Committee of Supply, and move the reduction of the right hon. Gentleman's salary by the amount, leaving him his remedy against the Secretary of State for India.

#### THE DISPUTE ON THE LANGFORD ESTATE.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Chief Secretary to

*Mr. A. Morley*

the Lord Lieutenant of Ireland whether he is aware that, at a meeting held on 18th April at Hay's Cross, County Cork, at which the parish priest of Meelin, Father Keefe, and his curate, Father Brew, attended, a resolution was proposed to the effect that any man taking grazing on the Langford estate was as bad as the landlord, and should be treated accordingly; and that, on the same night as the meeting, 11 armed and disguised moonlighters entered the house of a man named Brosna, who had taken grazing upon the estate; that one of the moonlighters said, "We have you now, you grass grabber," and, despite his brave resistance, Brosna was terribly beaten, had one eye destroyed, and barely escaped with his life; whether it is true that the moonlighters, after Brosna's escape, fired shots in the house, smashing the contents; whether Brosna's servants had been terrorised into leaving Brosna by a threat that their father would be murdered unless they did so; and whether he has any evidence that the outrage was a consequence of the meeting referred to; if so, whether any of the persons present at the meeting will be prosecuted?

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): The meeting at Hay's Cross was, I am informed, secretly convened, and there is no evidence yet forthcoming as to what happened at it. It is believed, however, so far as the police have been able to learn, that a resolution of the purport indicated in the question was adopted at the meeting, and they believe that there is some connection between the outrage and the proceedings at the meeting. At the same time, it should be stated that the police have reported that the two clergymen referred to in the question have always condemned outrage, and that their object in attending the meeting was, it is believed, to expedite a settlement between Mr. Langford and his tenants. The police are using their best endeavours to trace and bring to justice the perpetrators of this cowardly and brutal outrage. It is hoped that the result of intelligent police action will be successful in this matter.

MR. ARNOLD-FORSTER, who was nearly inaudible in the Gallery, was understood to ask whether there was any evidence to show that the two rev. gentlemen were present at the meeting, and that

they protested against the passing of the resolution?

**MR. J. MORLEY:** As I have said, there could be no evidence whether they did or did not protest against the passing of the resolution, as the meeting was a secret one. The police, however, knew that they did attend the meeting.

#### MOONLIGHTING IN COUNTY CORK..

**MR. ARNOLD-FORSTER:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many cases of moonlighting, agrarian and non-agrarian, took place in County Cork between 22nd August, 1892, and 1st May, 1893, and between 22nd August, 1891, and 1st May, 1892, respectively; and if he can account for the great increase in moonlighting which has taken place in the Counties of Clare, Limerick, and Cork since August last?

**MR. J. MORLEY:** The Outrage Returns do not distinguish between cases of moonlighting and other outrages; but an examination of the official record shows that in the County Cork the number of outrages committed between August 22, 1892, and May 1, 1893, and falling within the category of crime described as moonlighting, is 12, of which four were agrarian and eight non-agrarian. In the period from August 22, 1891, to May 1, 1892, the number of moonlighting outrages in Cork was five, of which three were agrarian and two non-agrarian; in the corresponding period of 1890-1 the number was 13. As regards the concluding portion of the question, experience shows that outrages in the Counties of Clare, Limerick, and Cork fluctuate from time to time, and are confined to a small area in each county. These outrages have all been designated in the Returns under some one of the following heads—namely, firing at the person, firing into dwellings, robbery of arms, house attack, intimidation, or aggravated assault. The number of moonlighting outrages in County Limerick were stated on Friday as follows:—From August 22, 1892, to April 30, 1893, nine agrarian, eight non-agrarian—total, 17; from August 22, 1891, to April 30, 1892, one agrarian, no non-agrarian—total one. As regards Clare, the number of such outrages between August 22, 1892, and May 1, 1893, is 19, made up of six agrarian and

13 non-agrarian cases, and in the corresponding period of 1891-2 the number was 10, consisting of six agrarian and four non-agrarian cases.

[Mr. Arnold-Forster put a supplementary question, which was quite inaudible in the Gallery.]

#### VACCINATION WITH CALF LYMPH.

**MR. WHARTON** (York, W.R., Ripon): I beg to ask the President of the Local Government Board whether, in cases of primary vaccination and re-vaccination, when the Local Authority is prepared to pay the cost of obtaining calf lymph, the Local Government Board would agree to such a course being adopted, instead of insisting on the present system of arm-to-arm vaccination?

**THE SECRETARY TO THE LOCAL GOVERNMENT BOARD** (Sir W. FOSTER, Derby, Ilkeston): The Local Government Board are unable to signify any general agreement in the performance of vaccination with calf lymph which is procured at the cost of the Guardians. There is every reason to believe that extension of the use of preserved lymph as opposed to fresh lymph derived in the arm-to-arm system would lessen the amount of protection against small-pox which is at present afforded by vaccination. Pending the sittings of the Royal Commission who have been appointed to inquire

“Whether any alterations should be made in the arrangements and proceedings for securing the performance of vaccination,”

the Board do not consider it expedient to propose any change in the existing arrangements.

#### RAILWAY RATES FROM WOOTTON BASSETT.

**MR. HUSBAND** (Wilts, Cricklade): I beg to ask the President of the Board of Trade whether he is aware that the rate for the carriage of milk from Wootton Bassett to Paddington during the month of April was 12½ per cent. higher than the rates in operation on 1st January, and that in spite of the Railway Companies' statement that the increase should in no case exceed 5 per cent.; and whether he will use his influence to bring about a return to the old rates?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): The answer is generally in the affirmative; but I have received letters from the Great Western Railway Company, dated 3rd and 8th of May, which show that they have reverted to the milk rates in force before 1st January last.

MR. HUSBAND: At what date did the company revert to the old rates?

MR. MUNDELLA: I cannot say; I shall be pleased to show the hon. Member the Correspondence.

#### POLICE COURT BAIL.

SIR JULIAN GOLDSMID (St. Pancras, S.): I beg to ask the Secretary of State for the Home Department whether he is aware that Joseph Greenway, who was committed for trial at Bow Street Police Station in June, 1892, and who subsequently absconded, surrendered himself at Bow Street, on the 5th October last, that Thomas Siers, of 15, London Street, stood bail for him in the sum of £250, and that such bail was exonerated when Greenway absconded; and whether, in view of the fact that the said Thomas Siers informed the solicitor to the Treasury of Greenway's whereabouts as soon as he discovered it, and thus did his best to assist justice, the whole or a portion of the amount of the bail can now be returned to Siers?

MR. ASQUITH: The facts are correctly stated in the first paragraph. As to the second paragraph, it is true that Siers gave information to the police as to Greenway's address in America; but this information led to nothing, as Greenway came over from America and surrendered himself. Siers made misleading representations to the effect that he had paid the whole of his bail of £250, whereas it turned out that £125 of the £250 alleged to have been paid by Siers had been found by Mrs. Greenway herself. Under these circumstances, the Treasury Solicitor advised that his want of good faith disentitled Siers to relief, and in this view I concur.

#### CO-OPERATIVE STORES AND INCOME TAX.

MR. E. H. BAYLEY (Camberwell, N.): I beg to ask the Chancellor of the Exchequer whether he is aware that the profits of the Civil Service Supply

Association, Limited, of Queen Victoria Street, were £46,700 for the year 1891, and that they were exempt from payment of Income Tax because the Association was registered under the Industrial and Provident Societies Acts; whether he can state how many companies of a similar nature and similarly registered make profits of £10,000 and upwards per annum upon which no Income Tax is paid; and whether he will consider the desirability of so amending the law that the profits of such companies may bear their share of taxation?

SIR W. HARCOURT: The hon. Member has been misinformed. The Civil Service Supply Association, Limited, is not exempt, nor is any Society similarly constituted exempt, from payment of Income Tax.

#### LABOURERS' COTTAGES IN THE BALLYMENA UNION.

COLONEL WARING (Down, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that some time ago a Committee of the Ballymena Board of Guardians was appointed to inquire whether any and, if so, how many labourers' cottages were required in the electoral divisions of Portglenone, Lisnagarrow, Ahoghill, and Ballyscullion, and that Committee reported that 28 such dwellings were necessary; whether any, and if so how many, have since been built; and, if not, why is it that the provisions of the Labourers (Ireland) Acts are disregarded in the Ballymena Union; and what steps he will take to remedy this neglect?

MR. J. MORLEY: I understand that the Guardians of the Ballymena Union did adopt the Report of a Committee which recommended the erection of 28 cottages in the Union, but that the Guardians, in view of the Reports made to them by the Medical Officers of Health relative to the dwellings of the various applicants for cottages now consider that six cottages will be sufficient to meet the requirements of the district. The scheme for the erection of these cottages has not yet come before the Local Government Board, who do not think they can properly interfere with the action of the Local Authority in this matter at the present stage of the proceedings.

## COUNTY CARLOW POSTAL SERVICE.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Postmaster General whether the telegraph will be extended from Kiltegan to Hacketstown, County Carlow, in accordance with the promise given last November?

MR. A. MORLEY: Steps are being taken to carry out the extensions referred to. As the hon. Member was probably aware, it was necessary to postpone the work until the commencement of the present financial year.

## ARBITRATION IN LABOUR DISPUTES.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the President of the Board of Trade if he is aware that there are several Acts and portions of Acts still in force relating to arbitration and conciliation in the matter of labour disputes, and that these Acts are inoperative, the provisions relating to the intervention of Magistrates and Justices of the Peace being no longer applicable to such disputes now that the Masters and Servants Acts have been repealed; whether he can see his way to propose the repeal of these practically obsolete Statutes, or their consolidation into one amended Act; and whether the Government will consent, if the House so agree, to refer his Bill, and the other Bills now before the House on the same subject, to the same Committee, with the view of securing such legislation as may accord with the changed conditions of labour?

MR. MUNDELLA: If the Bill which I have introduced is referred to the Standing Committee, I shall offer no objection to Amendments repealing such of the Acts referred to as are obsolete and inoperative. And I should quite willing that the Bills introduced by private Members should be read a second time and considered by the same Committee. I am only desirous that we should as soon as possible provide legislation that will facilitate the settlement of labour disputes.

## THE ATTACK ON THE REV. F. B. WALSH.

SIR ELLIS ASHMEAD-BARTLETT (Sheffield, Ecclesall): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the report in *The Times*

of 29th April of an attack upon a clergyman, from which it appears that—

"The Rev. F. B. Walsh attended an anti-Home Rule meeting at the Town Hall, Bermondsey, but took no part in the proceedings. After the meeting Mr. Walsh was proceeding in the direction of his home, St. Anne's Vicarage. He was followed by a mob, who shouted, 'Here is one of the d—d lot, let him have it.' The crowd of roughs closed upon him and stoned him. Mr. Walsh was most severely and cruelly assaulted, and was rescued by two policemen and conveyed to the house of the nearest surgeon where the wounds were dressed and sewn up. Mr. Walsh is seriously ill and in bed."

what steps are being taken to discover the perpetrators of this assault; and whether any reward has been offered for their discovery?

MR. ASQUITH: Yes; my attention has been called to the report referred to by the hon. Member. The facts as stated in the first paragraph of the question are considerably exaggerated. The statement made by the rev. gentleman to the police shows that when about half-way down Alscot Road something struck him on the head, and on his turning round he was struck on the eye, he believes by a stone. Two police officers came up and assisted him, but there was nothing that in any way could be termed a rescue, as he had not noticed that he was followed, and was not surrounded, nor was anyone near him. He has no idea by whom the stone was thrown, and can give no further information concerning the occurrence. Every endeavour has been made by the police to discover the offender. It is not the practice for the police to offer rewards in such cases.

SIR E. ASHMEAD-BARTLETT: Which of the facts are exaggerated? I am informed by the relatives of the rev. gentleman that Mr. Walsh had been very seriously injured and is still confined to the house.

MR. ASQUITH: The extent of the exaggeration will be found by comparing the statements in the first paragraph of the question with those I have just read.

## THE NEW LABOUR BUREAU.

MR. ERNEST SPENCER (West Bromwich): I beg to ask the President of the Board of Trade when he will be able to lay upon the Table his promised Memorandum on the functions and powers of the Labour Bureau, or as it is now



termed the Labour Department, of the Board of Trade, and the names and addresses of the newly appointed Local Labour Correspondents; and whether he will also give, where possible, the politics of the latter?

MR. MUNDELLA: The Return was ordered and presented on the 28th ultimo. I hope it will be circulated in a day or two; I have made no inquiry into the politics of the persons named in the Memorandum, and I have no intention of doing so.

MR. E. SPENCER: Would the right hon. Gentleman have any more difficulty in doing that than the Chancellor of the Duchy of Lancaster found in the case of the Lancashire Magistrates?

MR. BARTLEY: Is not the correspondent at Sheffield the right hon. Gentleman's chief organiser in that district?

MR. MUNDELLA: No, Sir.

#### RAILWAY RATES AT WEST BROMWICH.

MR. ERNEST SPENCER: I beg to ask the President of the Board of Trade whether he is aware that, in spite of the Railway Companies' statements that they were revising their rates so that the increase should in no case exceed 5 per cent., the rates on bricks sent out from the West Bromwich district showed an increase from 12½ per cent to 20 per cent.; and whether he will call the attention of the Company to the matter?

MR. MUNDELLA: I have already stated to the House the information which I possess as regards the rates in the Staffordshire district in reply to a question from the hon. Member for North-East Warwickshire. The Company propose to receive a deputation from the Brick-makers on the subject, which I hope will lead to a satisfactory result.

#### THE ALLEGED OVERCROWDING OF SCOTCH PRISONS.

MR. WILLIAM WHITELAW: I beg to ask the Secretary for Scotland whether, in view of the information supplied by the Fourteenth Report of the Scotch Prison Commissioners in regard to overcrowding in Scotch prisons, he will grant a Return showing the number of prisoners in the 11 largest Scotch prisons for each week, from 1st April, 1891, to 31st March, 1893?

Mr. Ernest Spencer

SIR G. TREVELYAN: The Prison Commissioners, to whom I have referred this question, are unable to discover that the information supplied in their 14th Report indicates any overcrowding in Scottish prisons. Such overcrowding, as already pointed out in the detailed reply to a previous question put to me by the hon. Member, does not exist. If the hon. Member will submit a statement to me of the overcrowding to which he refers I will send it to the Prison Commissioners; but till then a detailed Return which would involve considerable trouble seems uncalled for, and I am not prepared to grant it.

#### H.M.S. "WARSPITE."

MR. WILLIAM REDMOND: I beg to ask the Secretary to the Admiralty whether H.M.S. *Warspite* is to replace the *Triumph* at Queenstown; and whether the repairs necessary for this vessel will be done at Haulbowline?

MR. E. ROBERTSON: Yes; the *Warspite* will be the guard ship at Queenstown. I would refer the hon. Member to the answer I gave on the 4th instant, as to the repairs of the *Triumph*, to a similar question addressed to me by the hon. and gallant Member for East Cork.

#### THE INDIAN BUDGET.

MR. CAINE: I beg to ask the First Lord of the Treasury if he can state about what time it will be possible for the Indian Budget to be brought before the House; and whether, in view of the large deficit budgetted for and the important debate which has taken place in the Viceroy's Legislative Council on the present condition of Indian finance and the possibility of large retrenchment and reduction of expenditure, he will arrange that two days shall be given for the discussion of the Budget?

THE FIRST LORD OF THE TREASURY (MR. W. E. GLADSTONE, Edinburgh, Midlothian): The hon. Member will agree with me that it is rather early for the Government to attempt to allocate a particular date for the Indian Budget at this period of the Session. I do not, however, entirely abandon the hope of taking it somewhat earlier and at a more seasonable period than in recent times had been the case. With regard to the discussion itself, I

think it would be premature to attempt to determine at present the exact length of time over which the discussion ought to extend. In the view of the Government, the House will not be prepared for that discussion until the Report of the Committee now sitting has been received.

**LORD R. CHURCHILL** (Paddington, S.): Will the right hon. Gentleman use his great personal influence to expedite the Report referred to? The delay is causing the greatest possible uncertainty in India, and no thorough discussion can take place until the Report of the Committee on Indian Finance has been presented to the House.

**MR. W. E. GLADSTONE**: I agree with the noble Lord, and if I can do anything in that direction it shall be done.

#### THE WHITSUNSIDE RECESS.

**MR. J. E. ELLIS** (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether he can now, for the general convenience of Members, state when the Government propose that the House should adjourn for, and re-assemble after, the Whitsuntide Recess?

**MR. W. E. GLADSTONE**: It is the intention of the Government to propose to the House that we should sit next as usual in point of time, but that the Morning Sitting on Friday should be devoted to Supply, and that the House should then adjourn until Monday week following.

#### THE HOME RULE BILL AND THE RETENTION OF THE IRISH MEMBERS.

**MR. J. CHAMBERLAIN** (Birmingham, W.): I beg to ask the First Lord of the Treasury whether the Government intend to adhere to or to depart from the provisions of Clause 9 in the Government of Ireland Bill, dealing with the retention of the Irish Members?

**MR. W. E. GLADSTONE**: If it is the intention of my right hon. Friend to ask whether we have finally made up our minds to adhere to or to depart from the provisions of Clause 9, he must excuse me if I point out that the regular and ordinary time of stating our intention is when we come to the discussion of the clause in the House. My right hon. Friend's intention must be to ask whether we intend to propose the clause as it is.

My reply to that is that we do intend to propose it, and to submit it to the House. There are a number of points of difficulty in relation to it, the merits of which we have endeavoured to set forth as fairly as we can. We will profit by the discussions, but we have at present no intention of recommending any change.

#### OMNIBUS DRIVERS' LICENCES.

**MR. SAMUEL MONTAGU**: I beg to ask the Secretary of State for the Home Department whether he is aware that drivers and conductors of omnibuses and tramcars must obtain the renewal of their licences at Scotland Yard, which in many cases entails an annual loss of a day's work or the payment of one or two shillings to a messenger; and whether he can arrange that such licences may be renewed at the police station in the district in which the licence-holder lives?

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT** (Mr. ASQUITH, Fife, E.): I understand that it is not necessary for a driver or conductor to attend at New Scotland Yard in order to obtain a renewal of his licence. The practice is for a renewed licence to be sent to the police station nearest to the address of the licensee, together with the amount (5s.) payable for such renewal. A memorandum is sent to the applicant to the effect that the licence has been so sent, and that it will be given him on production of his badge and delivering up the memorandum.

#### BORSTAL PRISON.

**VISCOUNT CRANBORNE** (Rochester): I beg to ask the Secretary of State for the Home Department whether the grievances of the officers of Borstal Prison have been brought to his notice; and whether he will kindly promise to consider them; and, in that case, when he expects to be in a position to give a reply upon the subject?

**MR. ASQUITH**: I have looked into the facts in connection with the officials of Borstal Prison to which the noble Lord has drawn my attention, and do not find any ground for complaint. The Committee of 1891 went carefully into all the representations brought to their notice, and reported that, in their opinion, the hours of duty for convict prison officials were not excessive. In

this opinion I concur. The system in force at Borstal is the same as at other convict prisons. I have directed a full reply to be sent to the noble Lord upon a number of specific points which he has brought privately to my attention. If the warders have any special matters of complaint, their proper course is to bring them in the first instance to the notice of the Visiting Director, who visits the prison every month.

VISCOUNT CRANBORNE: I should like to ask the right hon. Gentleman if he admits the allegations I have brought before him are founded on fact, and that the state of things entirely differs from the time tables set forth in the last Report of the Director of Convict Prisons?

MR. ASQUITH: I must refer the noble Lord to the detailed answer.

#### FUSSELL'S CHARITY, SOUTH WRAXALL.

MR. STUART WORTLEY (Sheffield, Hallam): On behalf of the hon. Member for West Derby Division of Liverpool, I beg to ask the hon. Member for Merionethshire whether the Charity Commissioners can see their way to appoint three additional Trustees in the case of the Fussell's Charity, South Wraxall, as indicated in their letter of 18th January last to Mr. Pinckney, as it appears that is the only way the present unfortunate deadlock can be terminated?

MR. T. E. ELLIS: The Charity Commissioners have already intimated to Mr. Pinckney that they are prepared to proceed with the appointment of additional Trustees of the Fussell Charity. But, in order to enable such Trustees to take part with the Incumbent and Churchwardens in the selection of beneficiaries, it is considered to be advisable that the appointment should be effected by way of scheme. The Commissioners have requested Mr. Pinckney to apply for such a scheme, which he declines to do; and in these circumstances the Commissioners are unable to proceed with the matter.

#### THE EXPLOSION AT DUBLIN.

MR. WRIGHTSON (Stockton-on-Tees): I wish, in accordance with private notice, to ask whether the Chief Secretary has any information to give to the House with reference to the dynamite explosion which occurred on Saturday night at the Four Courts in Dublin?

*Mr. Asquith*

MR. J. MORLEY: I am sorry to say that I can add nothing to the information which is given to the public in the ordinary prints. An explosion took place in the Four Courts on Saturday night. It seems to have been of precisely the same kind as we had experience of in the Castle in December, 1891, at the offices of *The National Press* in Abbey Street, and near the Castle, in Exchange Court, on Christmas Day last. We are taking every possible measure to obtain some clue to the perpetrators of the outrage. One of the officers of the Home Office leaves for Dublin to-night. It is premature, however, to assume that it is a dynamite outrage; that we cannot state until this officer has examined the spot. The Police Authorities are not without hope of being more successful than on previous occasions.

#### THE VALUE OF IRISH SECURITIES.

MR. BODKIN (Roscommon, N.): I beg to ask the right hon. Gentleman the Chancellor of the Exchequer a question of which I have given him private notice, and from which I have done my best to eliminate all matters of a controversial character—namely, whether his attention has been directed to the fact that the bulk of Irish securities, especially those of Guinness, the Bank of Ireland, the Great Northern of Ireland Railway, and the Belfast and Down Railway, have rapidly and continuously improved in the market since the passing of the Second Reading of the Bill for the Better Government of Ireland; and whether such improvement is not, in his opinion, due to the confidence inspired by the immediate prospect of the better government in Ireland; and whether the Government will justify that confidence by pressing forward the Bill now before the House with all convenient speed?

SIR W. HARCOURT: These are matters about which I have no official cognisance, and I hope that the hon. Member will not, like a previous Member, move the reduction of my salary on account of my ignorance.

MR. BODKIN: These are matters of public notoriety.

## MOTIONS.

## IRISH EDUCATION ACT (1892) AMENDMENT (No. 2) BILL.

## LEAVE. FIRST READING.

MR. J. MORLEY : I have to ask the House to be good enough to give me leave to bring in a Bill, the object of which is merely to remedy certain minor defects in the machinery for the provision of school sites which have been discovered in the Education Act passed by the right hon. Gentleman my Predecessor in 1892. These difficulties are of a formal character, and the object of the Bill, which I will explain more fully in a Memorandum to be affixed to it, is to substitute the machinery of the Labourers' Dwellings Act for the machinery now in the Bill in certain small matters, such as the giving of notices, the publishing of advertisements, and the method of confirming orders.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to amend 'The Irish Education Act, 1892.'"—(Mr. J. Morley.)

Motion agreed to.

Bill ordered to be brought in by Mr. John Morley and Mr. Arthur Acland.

Bill presented, and read the first time. [Bill 344.]

## ORDERS OF THE DAY.

## GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [FIRST NIGHT].

Order for Committee read.

\*MR. SPEAKER : There are three proposals to instruct the Committee standing upon the Paper. The first stands in the name of the noble Lord the Member for South Paddington, to confer on the Committee the power to suspend the operation of Standing Order No. 35, and to allow the Motion to be revived that the Preamble be postponed. The first observation I have to make is that technically it is out of Order, inasmuch as it empowers the Committee to do what I have never heard of this House empowering a Committee to do—to alter

or suspend a Standing Order of the House. A Standing Order can be altered by Resolution of the House, but a Committee cannot do so, and it has never been delegated to a Committee to exercise such a power. Looking at the importance of the substance of the Instruction, I am bound further to observe that the object of the noble Lord is clearly to promote a discussion on the question of the supremacy of the Imperial Parliament, and he proposes to take that discussion at once on the question that the Preamble be postponed. Before 1882, when the Standing Order was passed which directed that the Preamble should stand postponed, so that it should, as a matter of course, be taken last without the possibility of discussion, great abuses had sprung up in this House from a repetition of Second Reading Debates, sometimes of great length, on this usually formal Motion on the Preamble ; and it was deliberately enacted by the House that the Preamble should stand postponed without any Motion, and be always and without question, as it was usually, taken last. The object, of course, was to enable any alterations to be made in it consonant with any alterations made in the Bill in the course of the Committee. It would be impossible to discuss the Preamble first and then to amend the Bill, as it might well be that the Preamble would not be consistent with the alterations made in Committee. That is the object of postponing the Preamble, and I am afraid it is not within my duty to sanction such a grave departure from ordinary practices as to deliberately undo the Standing Order of this House relating to the conduct of Bills in their passage through this House. This is my reason for saying that the first Instruction is out of Order. With reference to the second Instruction, standing in the name of the hon. and gallant Member for Hammersmith (abolition of office of Lord Lieutenant), I think it is competent for the hon. and gallant Member in Committee to do what he proposes in this Instruction, to abolish, if he pleases, the office of Lord Lieutenant, and to transfer the office hitherto performed by the Lord Lieutenant to the Crown. With reference to the next Instruction, standing in the name of the hon. and learned Member for Deptford, to re-establish the House of Lords in

Ireland and to transfer the judicial business on appeals thereto, I think also that what he proposes may be achieved in Committee, and it will be in his power to constitute a House of Lords in any way he thinks expedient, and he may clothe it with any appellate or other jurisdiction he may think proper. On these grounds I am bound to conclude that all three Instructions are out of Order.

**LORD R. CHURCHILL :** With great respect, and without challenging your ruling in any way, may I put a further question? Is it the effect of that ruling that no Standing Order passed by this House for the conduct of legislation can be suspended by the House? Would not an Instruction of the House to the Committee empowering it to suspend on a particular Bill a particular Standing Order be equal to a Resolution of the House itself, and was Standing Order No 35 when passed intended to be subject to no exception, but to be absolutely permanent and unchangeable in its effect; and whether, if the question of the supremacy of Parliament is not raised on the Preamble of the Bill, on what clause and when can it be raised? The only words in the Bill which refer to the supremacy of the Imperial Parliament are contained in the Preamble. I desire to repeat, Sir, that I put this question to you with the utmost respect.

\***MR. SPEAKER :** I did not say that on no occasion could a Standing Order be abrogated. What I did say was that I had never heard, and that I am unwilling to set the precedent, of this House instructing a Committee to abrogate a Standing Order of this House *ad hoc*. If such a thing were done I think that it ought to be done by distinct Resolution, and not by merely an enabling power to overrule the Standing Order conferred by a contingent Motion. The other question of the noble Lord was as to when he can raise the question of the supremacy of the Imperial Parliament. I am bound to decide these questions only as they arise on points of Order; but I had the less compunction in deciding as I have done when I see the first Amendment in Committee on the Paper in the name of the hon. and learned Member for Deptford will enable the whole question of the supremacy of the Imperial Parliament to be raised. Therefore, I think

*Mr. Speaker*

that there will be no inconvenience to the noble Lord or to the House in the decision which I have arrived at.

Motion made, and Question, "That Mr. Speaker do now leave the Chair," put, and agreed to.

Bill considered in Committee.

(In the Committee.)

*Legislative Authority.*

Clause 1 (Establishment of Irish Legislature.)

**MR. J. CHAMBERLAIN :** I beg to move that Clause 1 be postponed, and if I am able to induce the Government to assent to that Amendment I would then follow it up by a consequential Amendment and move the postponement of all the clauses down to Clause 9, my object, of course, being that we should commence the discussion of the Bill at that very important point in the Bill. I thought that possibly I might have been spared the necessity of making this Motion by the answer I hoped to gain from the right hon. Gentleman just now. The question I put to the right hon. Gentleman was whether he intended to adhere to Clause 9 as it stands in the Bill? Of course, in putting that question, I was not seeking to pledge the right hon. Gentleman to every letter and comma of the clause; but it embodied one of the various suggestions that have been put forward from time to time for dealing with the question of the retention of the Irish Members, and I wanted to know whether the Government in principle adhered to that proposal and intended to make it a vital point of their policy, because, if so, we are discussing the provisions of the Bill in absolute ignorance of what the intentions of the Government are with regard to this important point. If we pass the 1st clause of the Bill and declare that there shall be a new Legislature set up in Ireland, we shall do so being utterly unaware of what is to become of the Legislature of Great Britain. Well, now, Sir, I maintain that it is the custom of Governments in this House to lay their whole policy before the House, and to adhere to and make vital all the essential points of that policy. My right hon. Friend the Prime Minister has, I suppose, more experience of the House of Commons than any other living Member; but it will, I think, puzzle his memory to

give us any case in which the Government have introduced a Bill of this considerable importance, but have kept an open mind upon one of its most vital and essential provisions. The only case which I can recall, as being in any degree a parallel, is the Reform Bill of 1867; and certainly I do not think that the analogy of that Bill is one that is likely to commend itself to my right hon. Friend. On that occasion the Government of the day, which allowed important clauses of the Bill to be altered in Committee, was strenuously accused by its own friends of bad faith; and, on the whole, the course which they adopted did not strengthen their position in this House, nor conduce to increase their popularity in the country. The point, therefore, I venture to put is that, with regard to the main provisions of this Bill, we have a right to know that the Government intend to adhere to those provisions. Otherwise we are liable, at any point of this discussion, to have an entirely new Bill sprung upon us. If that be true with regard to the main points it is exceptionally and especially true of Clause 9, because it is upon this clause, as it stands—that is to say, upon the particular principle which the clause involves—that the Government have obtained their majority in this House and have carried the Second Reading of the Bill. There are only three ways of dealing with this question of the Irish representation at Westminster.

MR. T. M. HEALY (Louth, N.): Order, order!

MR. J. CHAMBERLAIN: The hon. Member is not the Chairman. The first way is by the total exclusion of the Irish Members.

MR. T. M. HEALY: I rise to Order. I desire to know whether the right hon. Gentleman is in Order in thus discussing the various ways of dealing with the representation of Irish Members in this House and in Dublin on a Motion to postpone Clause 1?

MR. J. CHAMBERLAIN: Before you reply, Sir, to the point of Order, may I explain that my object is to show the essential importance of the clause in question, and of the undesirability of allowing any alteration to be made in it by the Government, and the necessity of knowing the course the Government in-

tend to take in the matter before we come to deal with the rest of the Bill.

THE CHAIRMAN: I think that the right hon. Gentleman is in Order. I think that he is justified in bringing this forward as a reason for postponing Clause 1 and the other clauses down to Clause 8 inclusive.

MR. T. M. HEALY: I wish, therefore, to know whether the Committee will be in Order in discussing Clause 9 before we come to it?

THE CHAIRMAN: I have already said that the right hon. Gentleman is in Order.

MR. J. CHAMBERLAIN: I have said that there are only three ways of dealing with the Irish representation. These are—(1) by exclusion: (2) by what is known as the plan of *omnes omnia*; and (3) by the plan proposed in the Bill. So far as regards the first of those proposals, which was the proposal of the Bill of 1886, that was so unpopular in the country that it was one of the causes why the Government of that day failed to obtain a majority, and there are hon. Members who are still Members in this House who are pledged in most positive terms by their election addresses not to accept—

MR. T. M. HEALY: I rise to Order. I wish to know whether the election addresses of hon. Members constitute a matter for discussion upon a Motion to postpone the 1st clause of this Bill?

THE CHAIRMAN: I really must point out to the hon. and learned Gentleman that it is difficult for me to judge of a question of Order if he continually rises to Order himself. I have already said I think that the right hon. Gentleman is in Order. Of course, the right hon. Gentleman will not go into details in discussing the clause.

MR. J. CHAMBERLAIN: The fact that so many hon. Members are pledged against total exclusion justifies the statement which I made previously—that if the Government were now to adopt that plan it would be practically a breach of faith, because they obtained their majority upon the assurance that they would not again proceed upon the principle of total exclusion. That is, therefore, excluded from their consideration. I come next to the second proposal, which is, that the Irish Members shall be retained for all purposes and in their full numbers.

In regard to that, I would point to a statement which my right hon. Friend the First Lord of the Treasury made some years ago. My right hon. Friend was then dealing with this very matter, and said, in the plainest and clearest of terms, without any qualification or addition—

"I will never be a party to allowing the Irish Members to manage their own affairs in Dublin and at the same time to come over here and manage British affairs."

That being so, and seeing that my right hon. Friend has never in the slightest degree varied that pledge, it appears to me that it would be incompetent for the Government at the last moment to adopt that plan. There remains only the plan embodied in the Bill. If my right hon. Friend, in answer to my question, had said that he intended to stand by the proposal in the Bill, I should not have thought it necessary at this point to deal with Clause 9. But this is not the position that has been taken up by my right hon. Friend, and I am therefore obliged to contemplate the possibility that, in spite of the pledges given by my right hon. Friend, and in spite of the pledges given by his supporters, the Government have in contemplation, at all events, the possibility that when we get into Committee on Clause 9 it may be altered in one of the two ways suggested. I should have been prepared to admit that Clause 9 contained an honest attempt, at any rate, to deal with the difficulty, by keeping Irish Members at Westminster without giving them power over British affairs. I do not say how far it would succeed in that object; but the clause as it stands was regarded as an endeavour by the Government to find a solution of what at one time we were told passed the wit of man, and it was on the faith of that endeavour that the House allowed the Second Reading of the Bill. Suppose the House were now told by my right hon. Friend that he intended to propose the absolute exclusion of the Irish Members, where would be the majority which he had on the Second Reading? It would be absolutely impossible, under these circumstances, for the Government to go on with the Bill; and, that being so, it is perfectly ridiculous and would be a waste of time for us to consider Clauses 1 to 8 until we know whether upon this point, which I have endeavoured to show is the real essence of the Bill, the Govern-

ment do or do not adhere to their original views. Surely it is not too much to ask my right hon. Friend. The Government have had seven years to consider this Bill. From the very first they have known that it was a very difficult matter. They have pledged themselves to give, and have, no doubt, given, their careful consideration to it. As a result they carried the Second Reading on the proposals before the House, and now, at the last moment, they refuse to say that the proposal in the Bill may not be changed. Let me point out what an important bearing this has upon the discussion of the Bill. The first operative clause declares that there shall be a Legislature in Ireland. The majority in this House have agreed to that, provided that the supremacy of the Imperial Parliament is not seriously interfered with, is not hampered or weakened, as it would be, either by the exclusion or by the retention for all purposes of the Irish representation. I should like to know whether the vote would be the same, if it is taken on the assumption that this clause is going to stand, or upon either of the other two assumptions I have put before the House? It is perfectly certain that if hon. Members kept to their pledges they could not vote for the 1st clause of the Bill if they knew that Clause 9 was going to be altered. Then there is the question of supremacy. Upon the question of supremacy, the Irish Secretary said that if you keep the Irish Members here for all purposes they will be supreme, not only in Dublin, but at Westminster. What is the use, therefore, of our discussing the supremacy of the Imperial Parliament when we do not know what the constitution of the Imperial Parliament is to be? I quite understand that hon. Members opposite (pointing to the Nationalist Members) do not want any discussion at all to take place upon the Bill. I quite understand that hon. Members on this side, too, would like to ram it down our throats. Well, let them try. We were told at the former stages to wait till we got into Committee to discuss the details of the Bill, and we are going to discuss them—and discuss them thoroughly—until you put the gag on us. [Mr. GLADSTONE: Hear, hear!] In spite of the ironical cheer of my right Friend, I maintain that this is a perfectly legitimate question to raise,

*Mr. J. Chamberlain*

and that it is raised on account of his refusal to give a plain answer to a plain question. We are no longer in the position we were in before. Whenever we attempted to discuss this Home Rule scheme we were told to wait until the right hon. Gentleman was in power. Now the right hon. Gentleman is in power; he has produced his Bill; he is pledged to tell the House of Commons what his policy is; and when we have good reason to assume that he is contemplating, it may be, a change of policy, we have the right to ask from him an assurance that there is no truth in the rumours to that effect which we have seen in the public Press, and which he has refused, up to the present time, to contradict. I move that the clause be postponed.

Motion made, and Question proposed, "That Clause 1 be postponed."—(*Mr. J. Chamberlain.*)

**MR. W. E. GLADSTONE:** I will not follow my right hon. Friend through all the details of his speech, because my duty would be to contradict almost every one of his assertions. The present proceeding of my right hon. Friend, who is admittedly within his liberty as a Member of this House without breach of Order, appears to me to be a proceeding, the adoption of which would result in all effective and practical discussion upon all Bills whatever being rendered impossible. When some objection was raised to the course he has taken, my right hon. Friend immediately proceeded to charge those who objected to his course with entertaining an intention that there should be no effective discussion whatever on this Bill. Well, now, Sir, that is an intention which I should not be disposed to charge upon my right hon. Friend as his view or desire, but it is the certain and necessary effect of the Motion he has made. Is the right hon. Gentleman justified in setting up this or any particular clause of the Bill as the essence of the Bill, and saying that no progress can be made with the Bill until that clause had been disposed of? In my opinion, there are—I will not say how many, but not less than six or eight—clauses in this Bill which my right hon. Friend might just as well have chosen as that which is the subject of this Motion, and which he might much

better have chosen than the clause upon which he has based his Motion. My right hon. Friend asked that I should give a pledge to abide by all the essential points of Clause 9. Exactly so; and he reserves to his own breast to determine what are the essential points of the clause. My right hon. Friend chooses to refer to previous declarations and expressions of mine, and evidently reserves to himself, upon all important matters connected with this Bill, a universal, an infallible, and an exclusive power of interpretation. If I told my right hon. Friend that I intended to adhere to all the points which he considers essential in Clause 9, I should be liable to be thrown over by him the next morning by his informing us, with the same supreme authority which he has used to-day in all his interpretations, that we had broken faith with him in the promise we had given to adhere to all the essential points. My right hon. Friend says he does not know what is to become of the British Parliament. Nothing can become of the British Parliament at all. It can undergo no change from what it is now until some change is proposed by the Government, and until we come to the proposal of that change he is perfectly safe, and need entertain no apprehension at all. It seems to me that there are many clauses which might become with equal propriety the subject of the attack which he has made, but I cannot conceive any clause which he could have chosen with less propriety than Clause 9. I am entirely wrong, of course, because he says so, and my own poor private judgment must lurk in the shade until I receive the encouragement and guidance of my right hon. Friend. Here is a Bill which, in order to deal with it practically, we must take point by point, according to the natural order. The object of the Bill is to establish a Local Legislature in Ireland for Irish purposes. We have put that which is the object of the Bill in the forefront of the Bill. From the forefront of the Bill my right hon. Friend proposes to dislodge it, and why? Because of the opinion, widely entertained, that if a Local Legislature is to be established in Ireland, the consequence of that will be to raise the question of the modification of the position of the Irish Members in the British Parliament. How can you discuss the position of the



Irish Members in the British Parliament with reference to their having a Parliament established in Dublin until you have determined whether they are to have a Parliament established in Dublin or not? I desire to avoid hard words in this Debate; but I must own I felt I could not give a complete, an adequate, and a satisfactory description of the proposal of my right hon. Friend without using rather hard words, and I shall, therefore, leave it to stand in its naked beauty. If my right hon. Friend could by any possibility persuade the majority of this House to adopt his Motion, or to persuade the minority to adopt it—though there are some doubts even about that—he would then carry us to Clause 9, and we should find it necessary to make Clause 9 a contingent and hypothetical clause, because there is no purpose whatever in discussing Clause 9 unless and until we have decided upon a Local Legislature for Ireland. What a mockery to discuss Clause 9 now! I am now showing my great desire to meet my right hon. Friend. With the hypothetical acceptance of his Motion, we should absolutely begin the discussion of a knotty and thorny clause, by making it entirely dependent upon the adoption of this 1st clause which my right hon. Friend seeks to put aside. But we pursue what we think is the rational course, and the course agreeable to common sense, in putting into the first line of the Bill the main object of the Bill, upon which every other clause of the Bill is based. What can be more vital than the Veto Clause? [*Opposition Cries of "What clause?" and "We can't hear!"*] I do not believe that the two or three gentlemen who are attempting interruption are adopting a mode of expression which is agreeable to those among whom they sit. All the clauses of this Bill—the Retention Clause, the Finance Clause, the Veto Clause—are entirely dependent upon and consequent upon the establishment of a Local Legislature in Ireland. I say, therefore, that in point of reason the only course for us to take is, to consider, first, whether we shall or shall not establish such a Local Legislature, and when we have determined to have a Local Legislature in Ireland, then, and not before, will be the time to consider under what conditions it is to exist, and what changes, if any, it is to bring about in

*Mr. W. E. Gladstone*

the composition or the proceedings of this House. I must, therefore, object to the proposal of the right hon. Gentleman.

MR. A. J. BALFOUR (Manchester, E.): Before I deal with the speech of the right hon. Gentleman, may I, just by way of explanation, say that I think the right hon. Gentleman misunderstood certain exclamations which came from hon. Gentlemen behind me, who had no desire to interrupt him? It so happened that the right hon. Gentleman very naturally turned to my right hon. Friend the Member for West Birmingham, with the result that he could not be heard by some hon. Gentlemen near me; and it was for that reason, and that reason alone, they made the observations the right hon. Gentleman complained of. The right hon. Gentleman, under the excuse that the occasion is not propitious for dealing with the facts brought forward by my right hon. Friend the Member for West Birmingham, has really, in discussing this vital question, confined himself to generalities, and the value of those generalities may be judged from one of them. He said my right hon. Friend had asked the Government whether they meant to adhere to Clause 9 in all essential particulars. The right hon. Gentleman the Member for Birmingham is a judge of what are the essential particulars; but the right hon. Gentleman the Leader of the House said, "If we give the pledge required, we may find, in adopting some alteration, we have varied the clause in regard to something which the right hon. Gentleman the Member for West Birmingham declares to be essential." My right hon. Friend made it absolutely clear what he meant by essential conditions. He laid it down that there are three, and only three, ways of dealing with the Irish Members, and he asked the Government which of those three possible methods they were going to adopt. He did not ask to be informed as to the details by which any one of those methods could be carried into effect; all he asked—and the request was surely a reasonable one—was that we should know from the Government whether they meant to adhere to the discredited plan of 1886?

MR. W. E. GLADSTONE: I said we intended to propose the plan embodied in the Bill.

MR. A. J. BALFOUR: My word was "adhere," and not "propose." My right hon. Friend wanted to know whether you adhere to the discredited plan of 1886, or to the little less discredited proposal of 1893, or to some possible proposal which may come on in June, 1893? Is that not a reasonable request? It is perfectly true that the Government cannot pledge itself to the details of any plan, and we do not ask them to do so. We make no unreasonable request. It is also perfectly true that the Government may be forced to recede from proposals which the right hon. Gentleman believes to be the best; but has a single word fallen from the Government indicating their own faith that the proposals embodied in this Bill are the best? We have fresh in our recollection the speech made by the Prime Minister on the First Reading, and the speech made by the Home Secretary on the Second Reading. Both dealt with Clause 9, and I venture to say the impression left by both speeches was that, whatever views these two eminent Members of the Government might have as to the merits of other proposals, they were perfectly convinced of the demerits of the proposal they were laying before the House. If the Members of the Government obviously hate their own proposals, what ground have we for thinking that they mean really to vote for them? They are merely going to toss Clause 9 on the Table to be turned and changed at the will of the House without exercising their authority as a Government to retain it in the main in its present shape, and by so doing they are absolutely preventing the House dealing with clauses antecedent to Clause 9 in a rational and reasonable spirit. The right hon. Gentleman says—

"This is a Bill for the establishment of a Legislature in Ireland; if you do not establish a Legislature in Ireland the whole of the rest of the Bill falls down by its own weight; therefore pass Clause 1, at all events, embodying that principle before you deal with anything else."

I admit that Clause 1 proposes to establish the principle that there shall be a separate Legislature in Ireland; but on the clause other questions and one especially must be raised, and, as Mr. Speaker has pointed out, that question can be raised fully upon the very first line. On the very first line we shall have to discuss the supremacy of the Imperial

Parliament. Until we know what is to be that Imperial Parliament which is to be supreme, how can we discuss this question? Until we know what is to be the future constitution of the most important Member of the Imperial Legislature, how can we possibly discuss adequately the question of Imperial supremacy? The thing is absurd; and I venture to say that if the right hon. Gentleman will bear in mind, firstly, the vital importance of the question of the supremacy; secondly, the impossibility of discussing the question of supremacy without knowing what is to be the constitution of the Imperial Parliament; and, thirdly, the ambiguous character of his own utterances on this question, he will feel that the doubt and uneasiness with which we are beset is based on reasonable grounds; and that the least he can do is to satisfy us that the Government do mean to bring forward on their responsibility some plan to which they mean to adhere, and that they will tell us what that plan is before we proceed with one iota of the Bill. I venture to say, with some experience of carrying difficult Bills through the House, that the Government will certainly not lose time by endeavouring to meet what I think even the right hon. Gentleman will admit, after reflection, is not an unreasonable request preferred by the whole of the Opposition on this matter.

MR. J. PARKER SMITH (Lanark, Partick) said, the question was one on which the House was entitled to have something more than mere fencing. The Bill proposed to constitute an Irish Parliament, but it did something much more important than that; it proposed to alter the constitution and the nature of this House of Commons. Before they considered any question in regard to the Irish Parliament, they were entitled to know what the intentions of the Government were with regard to this Parliament; they were entitled to know which of the three alternatives the Government chose to stand or fall by. In his speech introducing the Bill the Prime Minister did not say that this principle was a vital principle; he merely said it was an important and organic detail of the Bill, and they were entitled to know what an organic detail was, and what a vital principle was. It was impossible to

discuss the previous clauses of the Bill until they had a direct answer upon the questions put by the right hon. Gentleman the Member for West Birmingham. [*Cries of "Divide!"*]

MR. JAMES LOWTHER (Kent, Thanet) : I rise to a point of Order. I wish, Mr. Mellor, to call your attention to the fact that the hon. and learned Member for Louth is interrupting and organising disorder. [*Cries of "Order!"*]

MR. T. M. HEALY : I wish to ask if it is in Order for the right hon. Gentleman to charge me with organising disorder?

THE CHAIRMAN : All interruptions are disorderly. I hope hon. Members will remember the extreme importance of this matter.

\*MR. T. M. HEALY : I wish to ask you whether it is in Order for the right hon. Gentleman the Member for Thanet to charge a Member of this House with organising disorder?

THE CHAIRMAN : The right hon. Gentleman has made this statement. If the hon. and learned Gentleman wishes to say anything with regard to it he is perfectly entitled to do so.

MR. T. M. HEALY : Will it be in Order for me to tell the right hon. Gentleman it is untrue?

MR. JAMES LOWTHER : On a point of Order, I beg to say that I distinctly heard the hon. and learned Gentleman say "Divide, divide!"

THE CHAIRMAN : I said all interruptions are disorderly. I cannot say it is disorderly for an hon. Member to say "Divide, divide!"

MR. W. E. GLADSTONE : That being so, I wish to submit to you, Sir, if that is the only foundation the right hon. Gentleman has for his charges, that it would be seemly that he should tender some apology.

MR. JAMES LOWTHER : Mr. Mellor, I distinctly heard the hon. and learned Member for North Louth leading a chorus of "Divide!" It was not the word "Divide!" pronounced once, but a chorus of "Divide, divide!" for the purpose of creating disorder.

THE CHAIRMAN : I understand the right hon. Gentleman to say that the charge he made against the hon. and learned Member for North Louth was that he called "Divide, divide!" That is not an uncommon expression in this

House. It may not be disorderly. It depends altogether in the manner in it is done. I think it is a very slight foundation on which to make a charge of that kind.

MR. JAMES LOWTHER : The reason I made the statement—and I now repeat it—is because Members upon this side of the House during the present Session have been repeatedly subjected to interruption. [*Cries of "Order!"*] I have myself upon repeated occasions seen the hon. and learned Member for North Louth—[*More cries of "Order!"*]

THE CHAIRMAN ! Order, order ! The right hon. Gentleman is not entitled to bring general charges against the hon. and learned Member. It is altogether out of Order, and I appeal to the right hon. Gentleman's experience. I will do my best to preserve order in this Committee; but in order to do that I must rely upon the assistance of Members in all parts of the House. I think this question ought now to terminate.

MR. PARKER SMITH said, that the heat which had been generated at this early period of the Committee did not seem to him the best augury. [*Cries of "Question!" and "Divide!"*] He was perfectly prepared for any amount of fair Parliamentary interruption; but when a question of vital importance was raised and discussed for something under an hour they were entitled to discuss it without disorderly interruption. The question that had been put was not one of detail, but one of vital principle, and it was one on which they were fully entitled to an answer.

\*MR. T. W. RUSSELL (Tyrone, S.) said, the Treasury Bench pretended that that Bill simply set up an Irish Assembly; he contended that it did more, and by Clause 9 proposed to alter fundamentally the constitution of the Imperial Parliament. Doubts had arisen in the public mind as to whether the Government intended to stand by the vital principle of Clause 9. If these doubts were not well-founded, if the Government intended to stand by the principle of Clause 9, why did not the right hon. Gentleman say so? Why did the Prime Minister completely burke the whole question? He thought they had a right to have an answer, and he hoped the Opposition would insist upon it.

*Mr. J. Parker Smith*

Question put.

The Committee divided :—Ayes 213 ;  
Noes 270.—(Division List, No. 67.)

\*MR. DARLING (Deptford) rose to move the following Amendment in Clause 1, page 1, line 11, before “on,” insert—

“Without in any way whatever impairing, restricting, or altering the supreme power and authority of Parliament in all matters, as well local as Imperial, and over all persons in Great Britain and Ireland.”

He said he hoped the Committee would believe, although he had addressed the House on other occasions, that he felt very considerable diffidence in submitting to them any proposal whatever with regard to a Bill of the magnitude and complexity of the Bill now before the Committee. But he thought it would be the desire even of the Government themselves that anyone who could in any way improve the measure which they had submitted to Parliament should have the opportunity of doing so before the Bill finally took its shape ; and he gathered that the Government themselves were not wholly precluded from making Amendments in the Bill on very important particulars, although at present they had not been able exactly to ascertain in what direction these improvements were likely to proceed. The argument had been used that it did not become those to amend the Bill who were resolved, when it had gone through Committee, to do what they could to prevent it becoming law. He imagined there was little force in that suggestion, and he would like hon. Members opposite to apply to the Bill what a celebrated *gourmand* recommended should be applied to the dressing of the cucumber. This person advised that they should add a little salt, a little pepper, and a little oil in order to make it palatable and agreeable ; and having done so they should throw the preparation out of window. If it happened that those for whose delectation this Bill was served up should treat it in the same way he did not think the Government would be surprised. The Amendment he proposed was one which was forced upon them by the fact that, perhaps, the most important provision of this Bill was put into that portion of it which was not an enacting part of the measure in any sense whatever ; and it behoved

the English Members, at any rate, to see that no kind of uncertainty was left upon this point, because, as he understood it, the attitude of Members representing Irish constituencies was now entirely different, and the claim they made was entirely different from what had been the attitude of former Irish Leaders and the claim they made. Former Leaders, and particularly Mr. Parnell, claimed that the Parliament of Ireland should be absolutely unfettered in every particular ; free from this Parliament, and free to shape the course of Ireland among the nations of the world. He did not know how many Irish Leaders there now were, but one and all of them had abandoned the position of the late Mr. Parnell. [Mr. J. E. REDMOND : No, no !] Well, there was one of them—and he was bound to say he thought the most influential of them—who had not abandoned that position ; and, that being so, there was all the more reason, therefore, for passing the present Amendment. He understood, at all events, that the great bulk of them had receded from the position of the late Mr. Parnell, and were content to take a Parliament subordinate to this Parliament, and which would have no power to deal with a large number of matters. That was a Parliament which Mr. Parnell certainly did not demand, and never would have accepted, because it was well known that Mr. Parnell claimed that Ireland would not take anything but a Parliament with—

“Full and complete power to arrange our own affairs, and to make our land a nation ; to secure for her, free from outside control, the right to direct her own course among the people of the world.”

That Bill did not offer them anything of the sort. It did not offer them a Parliament free from outside control, but it offered them a Parliament by a Bill the Preamble of which said the supreme authority of another Parliament should be preserved. It was because he wished that the position should be understood at the earliest possible moment, and not in a Preamble when the rest of the Bill was passed, that he desired, with diffidence, to submit this Amendment to the Committee. The contention from Ireland had always been that the laws of this Parliament were not good, because they were the laws of an alien Government. But

they in this Parliament always thought they had a right to make laws for Ireland, because, in this Parliament, Ireland was fully represented. That must still be the view of Her Majesty's Government, because the Irish representation was maintained. They did not know exactly in what proportion the right hon. Gentleman would give them Irish Members in that Parliament; but they had no doubt he would give them in a measure they in England neither deserved nor desired. It was for that Parliament he wished to secure, by enactment in an Enacting Clause of the Bill, the fullest powers to make laws for Ireland, and having it well understood that if any law made by the Irish Parliament conflicted with any law of this Legislature henceforth, whether made before or after the Irish law, that the law of this Legislature should be supreme, and have precedence over a law made by the Irish Legislature. He knew that that would place Ireland in a position which few nations would accept; but the Preamble professed to do it, and he was anxious it should not only profess to do it but should do it. He knew perfectly well that it made of the Irish Parliament what, to use the words of Mr. Sheridan, was "a sort of National Vestry for the Parish of Ireland." He should not have thought there could be any doubt that it was necessary to put the strength of the Preamble of the Bill into the Bill itself, and he should not have thought it necessary to establish that contention by precedents and decisions if the Home Secretary had not said that the Preamble was quite sufficient to secure the supremacy of this Parliament without having a section in the Bill, when it became an Act, to secure that supremacy. The Home Secretary had quoted, in his speech on the Second Reading of the Bill, the words of the right hon. Member for West Birmingham, who had said—

"The second condition is that the local Legislative Body or Bodies to be created shall be admittedly, from the first, subordinate Bodies. If they are co-ordinate and equal, you cannot have supremacy."

Thereupon the Home Secretary said—

"First of all the continued supremacy of Parliament is expressly declared."

Then an hon. Member on that (the Opposition) side asked "when?" and the Home Secretary proceeded—

*Mr. Darling*

"In the Preamble. . . . Ever since the days of Lord Coke it has been well said that the Preamble is the key-note of the Statute. . . . If hon. Members were in doubt, let them bring up a clause; if they wish to make such an unnecessary declaration, let them bring up a clause to be inserted in the body of the Bill saying that the supremacy of the Imperial Parliament is preserved, and I think I may say on the part of the Government that the clause will not meet with opposition."

The Home Secretary said that Lord Coke had declared the Preamble was the key-note to a Statute. Lord Coke, he regretted to say, said nothing of the kind. At all events, if Lord Coke did, he did not say it anywhere where he could find it. He had found, however, what Lord Coke did say, and what he thought misled the Home Secretary, who had many other matters to consider besides Lord Coke. Lord Coke, in his *Fourth Institute*, chap. 74, page 330 said this—

"The Preamble is to be considered, for it is the key"—not the key-note—"to open the meaning of the makers of the Act."

He wished this key could open the meaning of the makers of the Act. There was one maker of the Act whose meaning had not been opened by any key, let alone the Preamble of this Bill.

"To open the meaning of the makers of the Act and mischiefs which they intend to remedy."

Lord Coke, again, in the same *Institute*, said this—

"The rehearsal or Preamble of the Statute is a good means to find out the meaning of the Statute, and, as it were, a key to open the understanding thereof."

Lord Coke's *Institute* had been commented upon by Hargreaves and Butler as follows:—

"Lord Coke's manner of expressing himself on the operation of the Preamble in the construction of Statutes is very observable. Instead of saying generally that the Preamble should control the Enacting Clauses, or of limiting precisely how far it shall have that effect, which would have been attempting to make a line where one cannot be drawn, he cautiously says that it is a good means to find out the intention."

Lord Coke, again, in the 1st Chapter of his *Fourth Institute*, had a marginal note, which was this—

"A mischievous Act, with a flattering Preamble"—

Of what was he thinking?

"A mischievous Act, with a flattering Preamble, in 11th Henry VII."

In the text Lord Coke said—

"There was an Act of Parliament made in the 11th year of King Henry VII, which had a fair, flattering Preamble, pretending to avoid divers mischiefs, which were :—1. To the high displeasure of Almighty God ; 2. The great let of the Common Law ; and 3. The great let of the wealth of this land, and the purview of that Act tended in the execution contrary, *ex diametro*—namely, to the high displeasure of Almighty God, the great let, nay the utter subversion of the Common Law, and the great let of the wealth of this land, as hereafter shall manifestly appear."

He might have been describing the present Bill, with its flattering Preamble, pretending to avoid these things. Did Lord Coke say that the Preamble controlled the Statute ? Did he say it prevented the Statute doing harm to the Common Law, or to the wealth of this land ? No ; he said distinctly, in spite of its fair, flattering Preamble, it produced all the harm that it professed to make impossible and to avoid, and Lord Coke could nowhere be found to say that the Preamble was the keynote to the Statute. He said it might be a means to find out what those who made the Statute meant ; but what Lord Coke said had been misinterpreted, as the quotations he had made abundantly showed. What were the words of Mr. Dwaris ? Mr. Dwaris, in his work on *The Construction of the Statutes*, said—

"A Preamble is not only not essential, and often omitted, but it is, strictly speaking, without force, in a legislative sense ; being but a guide to, and not the vehicle of, the import of the Statute (c.). And to what is it properly a guide—to the meaning of the enactment ? No ; but to the intentions of the framer, which is only the first stage on the road, in the construction of Statutes."

He (Mr. Darling) dared say he had not yet convinced the Chancellor of the Duchy of Lancaster. It would be necessary to that right hon. Gentleman's conversion that he should read from some American authority, or that he should quote the decision, perhaps, of a modern Lancashire Magistrate. He had not got the decision of one of these, so he would read to the Committee the words of Mr. Justice Story, which, with the Chancellor of the Duchy, at all events, would have some weight. Mr. Justice Story said—

"The Preamble is properly referred to when doubts or ambiguities arise upon the words of the enacting part. The Preamble can never enlarge ; it cannot confer any powers *per se*. Its true office is to expound powers conferred, not substantially to create them."

The Preamble had no enacting force ; it could not confer any powers ; and it did not come into existence until doubts arose. Suppose this Bill became an Act, and it then came before an Irish Court with a modern Irish Judge, and it was argued that a certain power was given to the Irish Parliament. Did they think that an Irish modernised Home Rule Judge would ever have the slightest doubt that it did give that power, and if he did not, it would be useless to refer him to the Preamble. Unless they could raise a doubt, the Judge would not look to the Preamble, but in such a case he would have no doubt. They would, therefore, never get to the Preamble, and the Preamble did not come into question as an enacting part at all. It did not come into question even for the limited purpose of acting as a guide to unlock the mind of the Treasury Bench and their followers, who said on Tuesday they were going to vote against the Bill and on Friday walked into the Lobby for it. The Preamble did not come into action at all unless doubt existed in the mind of the tribunal who had to place a construction upon the Bill. He thought he had shown that if the Government were in earnest in desiring to preserve the supreme and unquestioned power of the Imperial Parliament, they were bound to do more than put words in the Preamble. Their *bona fides* would be judged by the way in which they dealt with the Amendment. By a subsequent Amendment he proposed to declare that any Irish Act contrary to any English Act passed after this Bill became law should be void if inconsistent with any such English Act. That was what supremacy meant. That was the way in which supremacy must be interpreted ; that was the way in which supremacy was interpreted before Grattan's Parliament, and that was the way in which supremacy was bound to be interpreted if the Imperial Parliament was to remain in any real, effective sense supreme. That was what was decided in Calvin's case in the reign of James I., and that decision was acted upon until Grattan's Parliament came into existence. In Calvin's case it was decided—

"Albeit Ireland was a distinct dominion, yet the title thereof being by conquest, the same by judgment of law might by express

words be bound by Act of Parliament of England."

The judgment in that case was written by the Legal Authority whom the Home Secretary above all preferred—Lord Coke. He wished there to be no mistake about this question of supremacy—that Ireland had not been made a nation, but had been created by the generosity of hon. Gentlemen opposite the parish vestry of the parish of Ireland—that it had got itself into the same position as it occupied in the days of James I. It was for these reasons he desired—relying upon the words, of which he thought there could be no evasion of Lord Coke, and of the authorities he had quoted—to do, in effect, what he believed the Government had not done—to preserve the supremacy in every single particular of the Parliament of Great Britain. He begged to move the Amendment.

Amendment proposed,

In page 1, line 11, before the word "on," to insert the words "without in any way whatever impairing, restricting, or altering the supreme power and authority of Parliament in all matters, as well local as Imperial, and over all persons in Great Britain and Ireland."—(*Mr. Charles Darling.*)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE: I do not object to the way in which the hon. Member has exercised his wit upon me; but he complains of the absolute impossibility of getting at any knowledge of my intentions. It is the understood privilege of the entire Opposition to expose my unfortunate incapacity to make intelligible anything I have to say. The hon. Member has made a proposal to us, but his argument goes much beyond it. His general argument is that in such a matter as the supremacy we ought to enact. ["Hear, hear!"] I am very glad that sometimes I can make myself intelligible. The hon. Member has bound himself in the most solemn way to the proposition—he has given us his professional authority for it—that this Bill is destructive of the Common Law.

\*MR. DARLING (interrupting): I beg the right hon. Gentleman's pardon. I read a quotation from Lord Coke, describing an Act which was subversive of the Common Law, but the particular

part of it which I meant to apply to this Bill was that which referred to the "great let of the wealth of this land."

MR. W. E. GLADSTONE; Then there are other people, besides the unfortunate gentleman who now addresses the Committee, who ought to take pains to make their meaning clear. The hon. Gentleman said that Lord Coke's words were most admirably applicable to this Bill. He says that we ought to enact, instead of merely putting these words in the Preamble. But all he does is to propose a Preamble. The words of the Amendment enact nothing whatever; they are a mere Preamble. But the difference is this: the words are a Preamble to be inserted in a particular clause, and, therefore, their effect is limited to the Preamble of a clause. Our words being in the Preamble of the Bill, and not in a clause, apply to the whole Bill, and supply what is called the keynote of the Bill. Now, Sir, I do not intend to go beyond the Amendment of the hon. and learned Member. I must oppose that Amendment, but I must oppose it on the ground that, in my opinion, it distinctly tends to the limitation of the supremacy. I believe that it was the case with regard to Mr. Parnell—I believe it might have been the case with some other Irish Members, although I am not prepared to assert it as a matter of fact—that in early days, before he had a prospect of the concession of Home Rule for Ireland, he did use large, general, and, perhaps, inconsiderate and dangerous words as to the nature of the powers that ought to be conferred upon Ireland. I do not look to those declarations of Mr. Parnell—they were not made here, or on his responsibility as a Member of Parliament and as a Leader of the Irish Party. I look to the declarations of Mr. Parnell when he sat upon the Bench opposite, when, in 1886, the Home Rule Bill was introduced, and when Mr. Parnell, in direct contradiction to what the hon. and learned Member quoted from Mr. Parnell, declared on the part of himself and on the part of his Party that he accepted the proposal of that Bill in the main, and that he said he accepted it as constituting a subordinate Parliament for Ireland. It is material for all purposes that that should be understood. The hon. and learned Member also says that, according to his

*Mr. Darling*

view, a law passed by the Irish Parliament in contrariety to the law of the Imperial Parliament might be accepted by the Judges and might run in Ireland. Has the hon. and learned Gentleman read Clause 33, which expressly abolishes any Irish Statute that runs counter to an Imperial Statute in so far as it is counter? I come to the Amendment, and I take what I think to be the main objection to it. My opinion, and the opinion of the Government, respecting the supremacy is that it is absolutely without limit, and we do object to any declaration, or any words in whatever form, which tend to limit this supremacy. I must, therefore, object to the Amendment upon the ground that it tends to limit that supremacy, and that by the most distinct implication it does limit it. What is that supremacy? What is its range? Is it one in England, Scotland, Wales, and Ireland? No, Sir; it is a supremacy throughout the entire Empire. The hon. and learned Gentleman does not propose any enactment. There is no enacting force whatever in his words, which are a mere repetition, in substance, of what we say in the Preamble. He says it is necessary to uphold "the power and authority of Parliament in all matters"—very good, so far—"as well local and Imperial"—very good—"and over all persons." Where? "In Great Britain and Ireland," and not elsewhere. Then there is no supremacy in British North America, in the West Indies, Australasia, the Cape, or anywhere else, but only in Great Britain? This is the mode in which the hon. and learned Gentleman proposes to maintain the supremacy. Whatever we assert of this supremacy, we shall always assert that the supremacy is a supremacy reaching and prevailing alike in each and every quarter of Her Majesty's Empire. Therefore, it is impossible for us to accept the Amendment.

MR. WYNDHAM (Dover) said, the right hon. Gentleman had endeavoured to minimise the force of certain references made by Mr. Parnell by stating that his speech was delivered not in the House, but in the country, and in the next place that it was not delivered by him as Leader of the Irish Party. Mr. Parnell had said that, speaking for himself, and, he believed, for the Irish people and for all his Colleagues, he had to declare that

they would never accept anything but the full and complete right to manage their own affairs and make Ireland a nation, and to secure for her, free from outside control, the right to direct her course among the peoples of the world. The Unionist Party held that that declaration of policy was inconsistent with the policy of the Government as delineated in the oft-quoted words of the Home Secretary (Mr. Asquith). Turning to the second contention of the Prime Minister—that they were not to attach any importance to the words of Mr. Parnell because they were not uttered in that House—

MR. W. E. GLADSTONE: I did not say that.

MR. WYNDHAM said, in that case he must have misunderstood the right hon. Gentleman. For his part, he attached more importance to words used in the freedom of addressing one's constituents. But, at all events, they must face the question of supremacy in the light of the innermost convictions of the Irish Members, if they could arrive at those convictions. Putting that matter on one side, the Unionist Party intended, if it were possible, to see that the Government gave real effect to the supremacy of which they had talked so much. The Prime Minister had said that in Clause 33 some such supremacy as the hon. and learned Member had described was reserved to that House, and that by that clause, as he understood the Prime Minister, any Act of that House would over-ride any Act passed by the Irish Legislature. As he read the clause, however, it only applied to those matters which were specifically excluded from the Irish Legislature in Clauses 3 and 4.

MR. SEXTON (Kerry, N.): No.

MR. WYNDHAM said, he was not a lawyer, and he hoped some hon. and learned Gentleman would be able to reassure the Committee on that point, which was very obscure in the Bill. The Prime Minister told the House that the supremacy was maintained in the Preamble; but hon. Members on the Opposition side of the House felt that it was too like chaos, without form, and void, and that it might have a protean tendency to take different shapes in proportion to the opportunities which hon. Members might have of coming from



Ireland. The references to supremacy made by Members of the Government, on which they won the last General Election, and as understood by the audiences to which they were addressed, were to the effect that that House would still be able by law to provide such safety and liberty as now existed in Ireland. In respect of such pledges the hon. and learned Member for Waterford (Mr. J. E. Redmond), in discussing this question out of doors, had said that they were threats. This supremacy was the only watch it would be possible to keep over the action of the Irish Parliament. The right of that House to pass laws for Ireland had always existed except during the interregnum of Grattan's Parliament; if any hon. Member had a doubt on the subject let him read the admirable work on Irish Legislatures by Mr. J. P. Ball, and they therefore had a right to see that the supremacy of the House should exist in the future without any limit. He based his support of the Amendment very much upon the argument used by the Prime Minister in opposing, earlier in the evening, the Amendment of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain). The Prime Minister's contention in that instance was that the governing principle of the Bill should be given in the 1st clause, and the Home Secretary had said that the Government accepted the principle of supremacy, and they were also told that if anyone would frame or draft a clause it would be accepted into the body of the Bill. But if the 1st clause was the proper clause for embodying the principle of the Bill, the Unionists preferred to have it in the very forefront of the Bill. Whether the principle of the necessity for a separate Parliament in Dublin was abandoned for some other principle, and whether this Bill were to pass or not, the principle of supremacy was imperative now and must always remain imperative.

COLONEL SAUNDERSON (Armagh, N.) said, the Prime Minister found some fault with hon. Members on a Opposition side of the House at not finding his remarks intelligible, but he thought that the right hon. Gentleman was himself to blame. On a recent occasion the House learnt that "marching through rapine to the dis-

memberment of the Empire" meant the opposing of a Land Bill. He had never understood the statement of the right hon. Gentleman in that sense until it was explained the other evening. But now the right hon. Gentleman was equally unintelligible. On the question whether the Irish Members were to be retained in their present number, or the number mentioned in Clause 9, or whether they were to be excluded, hung the meaning and authority of Clauses 1 and 2. Clause 1 proposed to set up a Parliament in Ireland which was supposed to be a subordinate Parliament. If the Irish Members were retained at Westminster in their present number, there certainly would be a subordinate Parliament, but it would not be the Irish Parliament. The Imperial Parliament would be the subordinate Parliament. [*Cries of "Order!" "Chair!" and cheers.*] Gentlemen called "Order!" but this was a question of supremacy, and it was impossible to discuss a clause dealing with Parliamentary supremacy without taking into consideration the clause which would materially affect the question whether the Imperial Parliament should be supreme or subordinate. If, therefore, Clause 9 was changed, as they supposed it would be— [*Cries of "Order!"*]

THE CHAIRMAN: It is not competent for the hon. Member to discuss Clause 9. This is an Amendment to the first part of Clause 1, and he cannot discuss the question embodied in another clause.

LORD R. CHURCHILL (Paddington, S.): Mr. Mellor, I rise to a point of Order. We have had a ruling of the Speaker on the Instruction that the question of supremacy could be raised in the largest manner on Clause 1. Are we to understand that it is now decided that Clause 9, which proposes the retention of the Irish Members, is not an essential part of the genuineness or want of reality of that supremacy?

THE CHAIRMAN: I entirely concur with the ruling of the Speaker with regard to the Instruction and with his explanations as to this Amendment. It is perfectly open to any hon. Member to discuss the question of supremacy in the fullest manner on this Amendment; but while, with regard to Clause 9, it is com-

petent for an hon. Member to refer to it, it is not competent for him to discuss it in detail.

COLONEL SAUNDERSON said, he was not going to discuss Clause 9, but he desired to point out the impossibility of discussing adequately the supremacy of Parliament without taking into consideration a clause which must absolutely affect that supremacy. As far as that clause was concerned, the Prime Minister had given the Committee absolutely no information. Would the right hon. Gentleman tell the Committee what amount of elasticity he would display when it came to consider Clause 9? [*Cries of "Order!"*] He was in a slight difficulty with reference to this Amendment—indeed, difficulty on his part must arise on all Amendments to this Bill. Personally, he should move no Amendment, because no Amendment of any kind that could be devised by the wit of man could make a Bill of that kind tolerable to him and, he believed, to the majority of his colleagues. As far, however, as he could make out the meaning of this Amendment, his hon. Friend wished to establish fair play between the Irish Parliament and the British Parliament. The Government proposed, on the other hand, that the Irish Members should have the absolute control, not only over the destinies of Ireland, but at the same time over the destinies of this country. There were certain facts clearly before the Committee as to the Irish Parliament in Dublin and the Irish Government to be created. They maintained that from the record of the men who would form that Parliament and constitute that Government the Loyalists had a perfect right, if Home Rule was granted, to demand that there should be safeguards placed in the Bill which should curb the instincts of those whom it was proposed to make their rulers in Ireland. They knew exactly how the Government would be composed and how the Parliament would be elected. Those men who were to be their future governors had left a record behind them to which all eyes were ever open.

\*MR. ROBY (Lancashire, S.E., Eccles): I rise to Order. I beg to ask you, Sir, if the Amendment relates to the legal supremacy of the Imperial Parliament, in what

way the composition of the Irish Legislature can arise upon it?

THE CHAIRMAN: The Amendment is intended to establish the supremacy of the Imperial Parliament in all matters, local as well as Imperial, and over all persons. Although I cannot say that the hon. Member is keeping very closely to the point, I do not think he is out of Order.

COLONEL SAUNDERSON said, he did not see how he was to avoid this line of argument, because he and his friends had grounds for believing that the men who were to compose the Government of Ireland were not to be trusted, and that the Amendment of his hon. Friend would place a curb on the action of the Irish Parliament and Government. If a Home Rule Government and Parliament was established in Dublin the record of those men who would form it and the Executive proved this: that that Government would be a Government of robbery, jobbery, and beggary. That being their belief, it was their bounden duty to support any Amendment which would effectually curb the predatory propensities of a squaid Parliament and a hungry Executive floating on whisky. The object he had in rising to speak to the Amendment undoubtedly had been to try and extract from some Gladstonian Radical his views upon this clause and upon other clauses of the Bill. But none of them showed any alacrity in rising. They had had two speeches from the right hon. Gentleman the Prime Minister of a very light and good-humoured character, as though he had been dealing with a Parish Councils Bill or with some minor act of legislation instead of a great question which touched the vital interests of Ireland and the Constitution of the Empire. But they had witnessed no sign of alacrity on the part of the right hon. Gentleman's followers to get up and support him on the clauses of the Bill. Well, he (Colonel Saunderson) had not expected that there would be. It was a "personally conducted" Party—conducted by Lord "Cook." However, the right hon. Gentleman's followers might feel, with regard to this Amendment or with regard to the clauses which followed if the right hon. Gentleman showed his determination to stick by the clause no matter how they objected, they would adhere to it. They

had a new policy presented by the Prime Minister and his followers had now invented a new "ism." [*Cries of "Question!"*] They had Protestantism, Mormonism, Roman Catholicism, and now they had Grand Old Manism. [*Cries of "Question!"*] None of the Members of the Gladstonian Party would dare to get up to express their opinions until they knew how their Leader wished them to vote. The speeches of hon. Members were of a funeral character. They all knew that this Amendment and all the discussions that would take place during the next two months or three or four would be discussions over a dead Bill. It was a sort of oratorical wake. The Bill was a dead Bill. It would be buried in August, but the discussions in the House which they had undertaken to-day, and which they would carry on to-day, were addressed to those who would give the final decision; and when that final decision came, he believed the Bill of the Ministry and the policy they had started would disappear together.

MR. R. T. REID (Dumfries, &c.) said, he did not intend to follow the hon. and gallant Gentleman opposite (Colonel Saunderson) through a speech which appeared to him to be very wide indeed of the subject-matter before the Committee, nor would he follow him into the references of a personal character which he had made to the Prime Minister. If the hon. and gallant Member desired to know why the supporters of the Government maintained silence on this as on the other stages of the Bill, he would tell him. It was because they wanted to see the measure passed into law, and because they were conscious that for that purpose it would be very unwise to fall into any of the numerous traps that were laid for them by hon. Members opposite. If this Bill were to be fairly discussed in Committee by hon. Members opposite with a desire to solve a most difficult question, and with a real desire to agree upon some settlement, they would find the expressions of opinion of hon. Members on the Government side of the House much more numerous and perhaps very much more satisfactory to any fair views they might themselves entertain. He now wished to say a word with regard to the Amendment. It involved a principle on

which, as he understood it, both sides of the Committee were entirely agreed. Hon. Members opposite were anxious that there should be an effective and real supremacy of the Imperial Parliament safeguarded in adequate terms in the Bill, and he understood that the right hon. Gentleman the Prime Minister, the right hon. Gentleman the Home Secretary, and every right hon. Gentleman on the Government side of the House had expressed precisely the same opinion. The Bill contained a statement of supremacy in the Preamble, and, for his own part, he believed that, in point of law, if the rest of the measure were absolutely silent upon the subject, that supremacy would remain unimpaired without a shadow of a doubt in the mind of every lawyer and every Judge in the country. Out of excessive caution the Government had inserted that declaration of their intentions in the Preamble, and he had no doubt that the declaration would be an adequate guide to any Judge, however blind, to lead him into the right path. It was possible to move in another direction. It was possible to put a plain statement into the Bill such as was found in all Statutes setting up our various Colonial Governments, which would make the supremacy of the Imperial Parliament absolutely clear. The right hon. Gentleman the Home Secretary (Mr. Asquith) had said that the Government were willing to accept such a clause. It would have been better to have put down a clause of that kind than to have put down an Amendment which was merely a preface to the clause and inadequate for its purpose.

\*SIR HENRY JAMES (Bury, Lancashire): I am sure that many Members of the Committee heard with satisfaction the declaration of the Prime Minister that the sovereignty of the Imperial Parliament was an indisputable fact. It was especially satisfactory to hear the right hon. Gentleman express as his principal objection to the Amendment of the hon. and learned Member for Deptford that it did not go far enough. The argument of the Prime Minister was that they ought to go as far as to express this sovereignty of the Imperial Parliament in respect to all the Queen's Dominions. If the right hon. Gentleman will allow me to say so,

*Colonel Saunderson*

that statement of his goes to contradict his own Bill. The Preamble of the Bill does not express that. In a Bill of this kind, referring to Ireland alone, the Preamble would also be read as referring to Ireland alone. It may be said that the words of the Amendment are not the most apt words, and that they are not proposed in the best place; but the object in moving this Amendment is that, before we commence the further discussion of the measure, hon. Members shall know whether the supremacy of the Imperial Parliament is to be an admitted fact or not. It should not be left to implication, but should be admitted expressly. The Preamble is not the enacting part of a Bill, and it never could be referred to unless doubts arose as to other parts of the measure. The Prime Minister referred us to the 33rd clause. In one sense he is right, because it will not allow the Irish Legislature to interfere with Acts passed by the Imperial Parliament after the passing of this Act. Still, in the course of time it may come to be thought that the Imperial Parliament has only supremacy in relation to those particular Acts. The supremacy of Parliament consists of two ingredients—authority to enact and power to enforce its legislation. Unless those two things are expressly admitted, difficulties will arise in respect of the construction of the Act. It is not alone lawyers and Judges who will have to consider it. If the Bill is passed every Petty Sessions in Ireland will have to construe the measure. This matter can easily be placed beyond doubt, and I hope the Home Secretary will adhere to the statement he made on the Second Reading, that there is no objection to a clause declaring that the supremacy of the Imperial Parliament shall exist. If he does, and a clause is inserted, it will get rid of all question on this point. The Prime Minister said that the words of the Amendment do not go far enough.

MR. W. E. GLADSTONE: That is not my only objection.

\*SIR H. JAMES: It was, I think, the principal objection of the right hon. Gentleman. My hon. and learned Friend (Mr. R. T. Reid) says there is no objection to an express clause, and once it is framed this discussion will come to an end. If the Government say they cannot take

this course, will it not be said that in the conduct of this Bill the Government have had some reason for abstaining from explicitly declaring the supremacy of Parliament? If Irish Members are excluded from this House, and if in some Petty Sessions Court in Ireland it is asked, "Is the Parliament of England to pass laws for Ireland?" will not the supremacy of the Imperial Parliament be imperilled if there is no explicit declaration of that supremacy? I ask the Government to consider the promise of the Home Secretary that there should be an express admission by a clause of the supremacy of Imperial Parliament, and I would urge the Prime Minister to put the question beyond dispute by accepting the advice of the hon. and learned Member for Dumfries.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I have listened to the discussion with a certain amount of surprise, because I understood, after I had spoken on the Second Reading, that it was practically conceded by hon. and right hon. Gentlemen opposite that, so far as paper declarations are concerned, the supremacy of Parliament is amply safeguarded by the Bill as it stands. ["No, no!"] If that is disputed, I must refer to the speech of the Leader of the Opposition in the Debate on the Second Reading. At the close of the Debate, after referring to my speech, and saying that I had explained at considerable length that the Imperial Parliament would still be supreme, he went on to say—

"Legally, of course, it would be supreme; no one has doubted it. But what layman takes the slightest interest in these paper supremacies? For my part, I take no more interest in the question of whether the Imperial Parliament is on paper superior to the Irish Parliament than I do as to the order of precedence at a London dinner party. The thing is of no public interest or importance whatever. What we want to know is where the power lies. Who is going to exercise supremacy? Who is going to be the *de facto* ruler of Ireland?"

Well, what is proposed now? Why, to add another to the list of paper safeguards of the supremacy. Furthermore, if the offer I made were accepted, and a declaratory clause asserting the supremacy of the Imperial Parliament were inserted in the Bill, according to the right hon. Gentleman it would not make the least

difference—it would not be a matter in which any layman would affect to take any interest, because the question which is the *de facto* ruler—not the *de jure* ruler, not the ruler on paper—will remain precisely the same. I am, therefore, surprised that so much time should be occupied on the discussion of this purely academic question. I would repeat what was said by the Prime Minister—namely, that the Amendment before the Committee, if it does anything, tends to cast a doubt upon the supremacy of Parliament. It is a preamble to the clause, and will only govern the clause; and if there is any doubt—I deny that there can be—lawyers and Judges will look not to a clause, but to the Preamble for a key to the Statute. As to the appeal of my right hon. Friend (Sir H. James), what I have to say is that if a clause bearing in express terms upon the supremacy is placed upon the Paper, when the time comes for the discussion of that clause—which, I may remark, is not now, but when the new clauses come to be considered—the Government will carefully consider its terms. [*Laughter.*] Well, if hon. Gentlemen suppose that the Government will bind themselves in advance to accept any form of words which may be put on the Paper, they are making a very unreasonable demand. I do not in the least degree recede from the statement I made on the Second Reading; I do not go back one step. All I do say is that at the proper time—and certainly this is not the proper moment to discuss the question—the Government are as determined as any hon. Gentleman opposite can be that when this Bill finally passes through Committee the supremacy of Parliament shall be amply and unequivocally safeguarded.

MR. A. J. BALFOUR: I should not have intervened thus early if it had not been that the right hon. Gentleman appears to have relied upon some statement of mine on the Second Reading fortifying his own view of the legal position in which we stand. It would be rash of me to make any statement on the legal aspect of the Bill, but I frankly admit that I have been told by lawyers of high authority that if the Bill passes in its present shape, or amended as we desire to amend it, competent lawyers will hold that the supremacy of the Imperial Parliament has not been interfered

with. But, as the right hon. Gentleman the Member for Bury has pointed out, the Bill will have to be interpreted in Ireland by persons who are not competent lawyers. It is possible that the Magistrates in Ireland may be as ignorant of Constitutional Law as I am myself, and it will be quite as necessary to guide them into the true path as it would be to guide a lay Member of the House. But there is another point which, to my mind, is much more important. I still adhere to the view that a paper supremacy is not a thing in which lay Members need take great interest; but the value of this clause, in my opinion, is that if it is followed, as it ought to be, by a specific proposition intended to make it effective in practice, the supremacy of the Imperial Parliament will be a real supremacy, and not a paper supremacy. The question in the future will be as to how far the Imperial Parliament can with propriety—I do not say with legal justification—interfere in Irish affairs in so far as all matters, local and Imperial, and all persons in Ireland are concerned. This question of the propriety of interfering in those affairs will be constantly coming up for decision. If we are going to leave the supremacy of the Imperial Parliament unmentioned in the clauses of the Bill, and are not going to specify what the duties of that Parliament are to be, it will be open for gentlemen to argue that, although this House undoubtedly has a right to interfere, it cannot with propriety do so in Ireland any more than it can with propriety do so in Canada or Australia. My view is that we should put this matter beyond doubt in the Act itself, and declare distinctly that the Imperial Parliament not only has legal right—about which lawyers are quarrelling and will go on quarrelling—to deal with Irish local affairs and with any person in Ireland, but that the Act contemplates the exercise of that right. Therefore, I attach the utmost importance to placing in the first line of the 1st clause of the measure words implying the deliberate determination of the Imperial Parliament as a matter of concrete fact and everyday practice to deal with any matter in Ireland, local or personal, if on the matter being brought before them they should think it proper so to do. But I go further than that. Valuable as I think these words would be if they stood

*Mr. Asquith*

alone, and cordially as I shall support the Amendment if carried to a Division, in my opinion their greatest value will be as a preface to the future provisions to be introduced creating machinery for enabling the Imperial Parliament to control local and personal affairs in Ireland. This is not the time for considering what that machinery should be, but undoubtedly it will be our duty—a duty from which we shall not shrink—to endeavour to put within the Bill the actual instruments and implements with which the Imperial Parliament will exercise supervision over the acts of the Irish Legislature and extend protection to all individuals and to every local interest in Ireland. By seeking to introduce these words into the Bill we are not dealing with a legal quibble, but are endeavouring to introduce a great and important modification into the Bill.

\*MR. DUNBAR BARTON (Armagh, Mid) thought he could explain why the right hon. Gentleman the Home Secretary had withdrawn from the position he took up on the Second Reading. It was because the Irish Members took exception to his view. The hon. and learned Member for Dumfries (Mr. R. T. Reid) had said that even if there was no mention of the supremacy of the Imperial Parliament in the Bill there would be no doubt as to the existence of that supremacy. If the hon. and learned Member was as familiar with this particular controversy in Ireland at a time preceding the Union as he (Mr. Barton) was, he would know that, of all questions which had ever been disputed by the Nationalists of Ireland, this was the one most disputed. If the hon. Member for Waterford and his friends were to agree to a clear statement of the supremacy of the Imperial Parliament being inserted in the Bill they would find it difficult to explain their conduct to those who at present regarded them as the trustees of Irish nationality. They were first told that they need not place the supremacy of the Imperial Parliament in the enacting part of the Bill, because it was in the Preamble, and now they were told that it was unnecessary because of an admission alleged to have been made in Debate by the Leader of the Opposition. That was a high compliment to pay the Leader of the Opposition no doubt; but the right hon. Gentleman had sufficiently ex-

plained that his words were not to be taken as justifying the Government in omitting this Amendment from the Bill. The supremacy of Parliament over Ireland was of two kinds—judicial and legislative. The judicial supremacy was seriously affected by this Bill. By Clause 22 of the Bill the most important branch of the judicial supremacy was abolished, as it was enacted that appeals from Courts in Ireland to the House of Lords should cease. That was important, because the appellate jurisdiction of the English House of Lords had in 1719 and 1783 played an important part in the struggle between the Parliaments of Great Britain and Ireland. Therefore, by abolishing it the Government had removed one important branch of the Imperial supremacy. There were other branches of the judicial supremacy which would require definite words, especially impeachment. Would an Irish subject be impeachable after this Act, and, if so, where? But the legislative supremacy was the most important branch of the subject. How did this stand? He ventured to say that Clause 33 of the Bill did not do that which the Government would lead them to suppose. It omitted an important part of what the opponents of the Bill insisted upon. Would it be competent for both Parliaments to legislate upon the same subject? If so, would this Parliament be supreme? Unless it were made clear that this Parliament could pass a special Act with reference to matters within the powers of the Irish Legislature, there would be no effective supremacy. He was aware that they would be told they would have the veto, but that would not do for them. That was indirect supremacy, similar to the supremacy exercised by the Privy Council under Poyning's Act. They wanted a complete Parliamentary supremacy, and wanted it to be made clear in the Bill. The hon. and learned Member for Dumfries had said that the supremacy would be secure, even if it was not mentioned in the Bill, but a slight knowledge of Irish history and law would soon undeceive him. No subject had been more disputed by every generation of Irish Nationalists. There had been three cases on the subject in the Law Courts, a glance at which would show how doubtful the question was. In Pilkington's case, in Henry VI's. reign, it was decided in

the English Courts that the granting of a subsidy by the English Parliament would not be binding in Ireland. In the case of the merchants of Waterford, which was finally decided in the first year of Henry VII. conflicting decisions were given by the Judges. First, they decided that the English Parliament could not bind the Irish people by an Act restricting external commerce. Then they re-considered their Judgment, and having been reinforced by the Chief Justice, they decided the contrary. Finally, in Calvin's case, early in the reign of James I., in a case about Scotch naturalisation, it was laid down by Lord Coke and the other Judges that the laws passed in the English Parliament might by express words bind Ireland. This was decided on the ground that Ireland was a conquered country. But the Irish people had always disputed the fact of conquest, and, therefore, the *ratio decidendi* of Lord Coke's Judgment was traversed and disputed in Ireland. The House would see from these three cases the question was one which, so far as case law went, was by no means clear, and was not one which could be lightly passed over in an Act of Parliament. He would next deal with legislation and the action of Parliament. After Calvin's case was decided the Irish Parliament of Charles I. consulted the Irish Judges on this very subject of the supremacy of the Imperial Parliament; and having received an ambiguous reply, the Irish Parliament, disregarding the judgment in Calvin's case, declared solemnly that the English Parliament had no right to bind Ireland, but that the laws for Ireland were the Common Law of England and the Statute Law of Ireland. That was in 1641-2. In 1689 they had the brief and notorious Parliament of James II., the Parliament which confiscated the property and sentenced to death all the leading members of the Protestant community in Ireland, and it repudiated, among other things, the right of the British Parliament to legislate for Ireland. Hardly had the Parliament of William III. assembled than the same question was again raised, and early in the next century Molyneux, in his Paper on *The Case for Ireland*, argued that the Imperial Parliament had no power to legislate for that country. The question created such a degree of interest that about 1718 the Irish House of Lords

decided the point one way and the English House of Lords another, and both claimed appellate jurisdiction on the ground of Parliamentary supremacy. It was this controversy between the two Houses of Lords as to judicial supremacy which led to the Declaratory Act of 1719, commonly called the Statute of 6 Geo. I. This Parliament then found it necessary to declare the supremacy of the Imperial Parliament, and if it was found necessary to declare it then why did Her Majesty's Government not think it necessary to declare it now? That was the last time the Imperial Parliament declared its supremacy. Thus, in 1719, this Parliament found it necessary to declare it by deliberate enactment; but so violently was it disputed by the Irish leaders that Parliament, in 1782, had to repeal that Act, and remove it from the Statute Book. The independence of Grattan's Parliament depended upon the repeal of that Declaratory Act, and yet they were told that it was not now necessary to declare, in specific terms, the supremacy of the Imperial Parliament. In 1783 this Parliament renounced any right of supremacy it had over the Irish Parliament. He asked hon. Members whether the question of supremacy could be satisfactorily dealt with in a Preamble when all these great events of Irish history and all these great Constitutional movements and circumstances turned upon that question? By the Act of Union the question was settled, as the supremacy was practically established by that measure which made Ireland a partner with England and Scotland in the government of the Three Kingdoms. How had the Members of the Government treated the Act of Union which thus practically established the Imperial supremacy? They had gone up and down the country endeavouring to discredit it. They declared that that Act, which was now the sole foundation of the supremacy of Parliament, was gained by force and fraud. Under these circumstances, the Opposition were entitled to say that the Imperial supremacy must be expressly safeguarded in the Act. He was entitled to ask those who represented the historic Nationalist Party what was their view on the question? Were they willing to admit the supremacy of the Imperial Parliament in

the sense in which it had been described? Whatever was their reply, the Opposition was at least entitled to ask the Government, who had tainted the title deeds of the supremacy of the Imperial Parliament, to set up in its place something that would be a sure basis for the supremacy in the future.

MR. BOUSFIELD (Hackney, N.) rose to make a suggestion which he thought might possibly meet the opinions which had been expressed on both sides of the House. He understood that both sides were equally agreed that the supremacy of Parliament ought to be effectually maintained. With that object in view, he thought both sides were agreed that the Irish Legislature was to be really a subordinate Legislature. The Prime Minister had raised the objection to the Amendment that it was not of an enacting character, but was rather a preamble to the clause. He (Mr. Bousfield) suggested that the words "subject to and" should be prefixed to the Amendment. If this suggestion were adopted, it would make the Amendment of an enacting character. His hon. and learned Friend (Mr. Darling) did not think this Amendment necessary, but he understood that he would accept it.

Amendment proposed, to the said proposed Amendment, before the first word "without" to insert the words "subject to and."—(Mr. Bousfield.)

Question proposed, "That the words 'subject to and' be there inserted in the proposed Amendment."

MR. W. E. GLADSTONE: We cannot accept the Amendment. We do not think that the best mode of dealing with the supremacy is by means of a preamble to a particular clause.

MR. J. CHAMBERLAIN: I cannot help thinking that perhaps the Government have already seen some reason to doubt the wisdom of the course they have taken in refusing all information as to their intentions with regard to subsequent clauses. We are anxious, as far as we can, to confine ourselves strictly to the immediate matter under discussion, and not to refer, if we can avoid it, to future parts of the Bill when we do not know how they are going to be treated by the Government. I am not

going to say another word on Clause 9 because, as far as I am concerned, Clause 9 no longer exists. It does not represent any settled intention of the Government. It is merely a pious opinion which is thrown upon the Table of the House and to which it would be perfectly useless and unnecessary for us to refer. But I cannot help referring to the question which is treated in Clause 9—namely, the future condition of the House of Commons. We are told that it is a matter of agreement between the two sides of the House that there shall be real and effective supremacy. I confess I am sorry to say I do not share the view of my hon. and learned Friend the Members for Dumfries (Mr. Reid). I doubt very much whether we are agreed on both sides of the House. Taking it for granted that that is true, as far as my hon. and learned Friend and those who act with him are concerned, I ask how can you have an effective supremacy or how can you devise words to secure it until you know what is to be done in regard to the Parliament at Westminster? The one argument which we urged against the extinction of the Irish Members in 1886, and the argument which was accepted by my right hon. Friend the Prime Minister in subsequent speeches as being a very reasonable argument, was that without the Irish Members at Westminster we could not have supremacy.

MR. W. E. GLADSTONE: Nothing of the kind. I never said such a thing.

MR. J. CHAMBERLAIN: I beg my right hon. Friend's pardon. I was not going to refer to his words; but as he challenges me I must. On July 18th, 1886, my right hon. Friend at a tea, I suppose, given by the hon. Member for Cumberland (Cockermouth) (Sir W. Lawson) said—

"Moreover, I will go so far as to admit that it is impossible not to respect the feeling that in many minds has led to the entertainment of that desire. It is in order that there may not be as much as the slightest shadow of a presumption that the real union between the countries is about to be impaired that is a feeling to which the greatest respect should be paid."

MR. W. E. GLADSTONE: Hear, hear!

MR. J. CHAMBERLAIN: If my right hon. Friend agrees with that I really do not understand what the difference is between us. I assert that in 1886 the argument was that if the Irish



Members were excluded the supremacy could not be maintained. If the Irish Members are not retained it would be very difficult to argue logically that this House should have the right to tax them or impose its views upon them. My right hon. Friend says that is a feeling which is deserving of respect. I say that, under these circumstances, it is clearly impossible that we should discuss this question of supremacy without discussing possible methods of dealing with the Irish Members at Westminster. At present we have not the least idea what is the intention of the Government in this matter. We are obliged to argue on three different assumptions, and to show what is necessary to secure the supremacy of Parliament on each of these three assumptions. If my right hon. Friend, who knows of course what his intention is, would only frankly take the House into his confidence, as he has already no doubt taken hon. Members from Ireland into his confidence, he would shorten the Debate, because, instead of having to discuss on every clause as it comes up three separate hypotheses and propositions, we should only have to discuss one. Why are we to be the only people who do not know the future intentions of the Government? I think my right hon. Friend will find he has made a mistake in not saying yes or no to the simple question I asked him whether or not he adheres to Clause 9. I think some of my hon. Friends behind him, when they note his persistent silence, must have some qualms of conscience as to the position into which they are to be led. [*Ministerial cries of "No!"*] I find it is not so. They have been so accustomed to swallow their opinions that nothing the future can have in store for them can arouse the slightest alarm. I come now to the particular words suggested by the hon. and learned Gentleman. To my mind, they are words which are very insufficient, and will have to be added to and extended to other parts of the Bill. But what are the objections taken to them? We are told by the hon. Member for Dumfries (Mr. Reid) that both sides of the House are agreed in principle. A proposition is made from the other side of the House in order to secure what all of us want to secure. We get no suggestion from this side of the House, except the suggestion that

*Mr. J. Chamberlain*

the proposal we make is unacceptable. The reason given by the Prime Minister was that the proposal did not go far enough, or rather, that the Amendment would affect a limitation of that immense, complete, unimpaired, entire, and satisfactory supremacy which the Government are determined, at all hazards, to maintain. But then, Sir, what does it amount to? Only to this: that while, as far as matters are concerned, the supremacy declared by the hon. and learned Gentleman is thoroughly satisfactory because it includes all matters everywhere—

MR. W. E. GLADSTONE: No.

MR. J. CHAMBERLAIN: Well, my right hon. Friend, in his speech, passed over as satisfactory that portion of the Amendment which deals with matters, and it was only when he came to persons that he raised an objection.

MR. W. E. GLADSTONE: To both.

MR. J. CHAMBERLAIN: Well, then, I am one of those unfortunate persons who did not understand my right hon. Friend. I take it then as both. My right hon. Friend will see that "Great Britain and Ireland" only refer to persons, and the rest of the Amendment to matters. We will assume, however, for the sake of argument, that "Great Britain and Ireland" limits both the matters and the persons. My right hon. and learned Friend (Sir H. James) differs from the Prime Minister as to the legal operation of the words; but there is this to be said for them: that they are taken from the language of another lawyer, the Home Secretary (Mr. Asquith), who gave them as a satisfactory definition of Imperial supremacy. When we accept them the Government find them entirely unsatisfactory. If they want enlargement, why does not some one on the Front Bench give us a suggestion for an enlargement? The Prime Minister may be quite sure that we shall not disagree with him on that point. The Home Secretary says, if we will bring forward a clause, he will consider it. This is a Bill to be dealt with not by discussion, but by consideration. This Bill is thrown on the Table, and we are to provide clauses to turn it into a good Bill, although the Government will not let us discuss their clauses. We are to provide clauses

dealing with finance and dealing with Ulster, and until we do those subjects are to be postponed. This is the most absurd way of dealing with a great Bill. If the Government have a mind let us, for goodness sake, know what it is ! Do not let them ask us to help them in the drafting of their Bill. The second objection is that this is not an enacting clause. That is a most strange objection to come from the Government. I think my right hon. and learned Friend (Sir H. James) has an idea that it is an enacting clause. But, putting this aside, what a curious thing it is that the Government, who think it satisfactory to deal with this matter by means of the Preamble with no enacting value, should complain of the Amendment that it does not go far enough. It is perfectly evident that the objection is taken for the sake of objecting, and that it is perfectly impossible to support it on any logical or reasonable ground. The Home Secretary complained that we are now increasing the number of safeguards, although the Leader of the Opposition has said he attaches no importance to paper safeguards. I think we are all agreed that there is no importance in paper safeguards if they stop there. But to place them in an Act of Parliament is the first step to enforcing them. The Government is in too great a hurry. We shall come to the enforcement after they accept the insertion of the principle. I do not believe they want to assert it. Of course, they are willing to assert it in Debate because words used in Debate are of no value subsequently in the interpretation of an Act. But I think if they were to put those words into the Bill, they would find they would have to enter into some discussion on the subject with some of their supporters. The hon. and learned Member for Waterford (Mr. J. E. Redmond)—and this is a most extraordinary thing to which I must call attention—declared in terms that he would not be satisfied unless he inserted in the Bill a clause declaring that the supremacy of the Imperial Parliament should not extend to these matters expressly relegated to the Irish Parliament. We are now discussing the supremacy, and the hon. and learned Member is absent. I take it for granted that if he were here he would object to the insertion in the

Bill of the words which right hon. Gentlemen say they accept in principle. They tell us they agree with us in principle ; and while all they have to say against our Amendment is that it does not go far enough, they will neither accept it nor teach us how to amend it. My hon. and learned Friend the Member for Dumfries (Mr. Reid) laid down certainly a most extraordinary doctrine as to the policy which apparently he and his friends are going to adopt in this discussion. He said—"If you were willing to assist us in this Bill, we should be very happy to discuss it with you ; but, as you are opposed to the Bill in all respects, as you have a bitter and undying hostility towards it, we are not going to discuss it with you at all." Well, what on earth is the good of a Committee of the House of Commons if that attitude is to be adopted ? This is the doctrine laid down by a Member of this House who calls himself a Liberal—by one of those Members the tradition of whose Party it is to obtain free discussion. Committee is the place for discussion of the details of a Bill. We are now informed, and we are told, on the first Amendment on the 1st clause, that there is to be no discussion except by the Opposition. Only two right hon. Gentlemen have risen to speak in answer to the many speeches which have been made against them. This is the policy of silence. Our arguments are not to be answered. We are to be left to carry on the Debate alone. It cannot be said that we are carrying on an obstructive Debate.

MR. LITTLE (Whitehaven) : Oh ! oh !

MR. J. CHAMBERLAIN : Not even the very young Member behind me would, I should think, have the hardihood to get up and say that the discussion of an Amendment of this importance has been obstructive.

MR. LITTLE : I have read the right hon. Gentleman's speeches, and those of the Leader of the Opposition, and that is the construction I place upon their assertions.

MR. J. CHAMBERLAIN : It is not my business to defend the Leader of the Opposition, but the construction the hon. Member has put on my speech is a most unauthorised and a most impertinent one. I defy him to find a single word in any of my speeches which justifies the

interpretation he has placed upon them. I say again that, for my part, I am absolutely indifferent whether the Government answer our arguments or not. That will not prevent us, however, from bringing our arguments before the House and the country. If the Government do not answer our arguments it is because they cannot. Never before, I should think, in the history of Parliament has a Debate on the Second Reading of an important Bill gone on without an answer being given to any one of the principal arguments used against the measure. I am not speaking of the quality of the arguments. That, of course, is a matter on which I should be a bad judge; but what I say is, that to the principal arguments not a single word has been said in reply. If throughout the Committee stage the Government are going to treat us in the same way, that is to us a matter of the most perfect indifference; but the country will understand it perfectly well, and we shall challenge the Government to take the opinion of the country upon it.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): With one remark of my right hon. Friend I entirely concur, and that is that the country will understand it. The country will understand my right hon. Friend's objects and the method by which he is seeking to secure them. We are perfectly prepared to answer the arguments of my right hon. Friend. What we will not do is to follow him in his method of discussing the 9th clause on the 1st clause. That is not a thing which we are bound to do or which we ought to do. The House, by a significant majority, has pronounced its opinion on the first Amendment, which was that of my right hon. Friend. What adjective belongs to that Amendment I will not say. Upon the Amendment before the House I will answer in two sentences so much of the speech of my right hon. Friend as can be called argument. About nine-tenths of my right hon. Friend's speech was not argument but denunciation. What is the part, the infinitesimal part, of my right hon. Friend's speech, which may properly be called argument? He says it is necessary to put this Amendment into the 1st clause. We have said we think it sufficient to put it into the Preamble. Hon. Gentlemen say the

Preamble is not sufficient, and in order to cure the defects of the Preamble of the whole Bill, they introduce the Amendment into the preamble of a single clause. Even a layman will see that the Amendment is not of an enacting character. The hon. and learned Member opposite (Mr. Bousfield) is so confident that it is not enacting that he has suggested certain words which would make it not an enacting clause at all, but a saving clause. That in itself is an objection fatal to gentlemen opposite. My right hon. Friend (Mr. J. Chamberlain) asks why we do not bring up an enacting clause. We say we do not think an enacting clause necessary. We think it is sufficient to call attention to the supremacy of Parliament in the Preamble. If you do not think it sufficient, bring up your enacting clause. It is for you to supply any defects you think there are in the Bill. That is an answer to the whole argument. To say that we should bring up an enacting clause when we do not think such a clause necessary is totally unreasonable. That is our position in this matter, and it is perfectly fair and intelligible. We say that even without the statement in the Preamble the supremacy of Parliament would be legally intact. If you are not satisfied bring your proposal forward.

MR. VICARY GIBBS (Herts, St. Albans) said, the right hon. Gentleman who had just sat down argued that it was the business of the Opposition to produce an enacting Amendment. They had done so as a matter of fact, but the right hon. Gentleman said it was not of an enacting character. If the right hon. Gentleman was sincere in his desire to see the supremacy of Parliament asserted in the most absolute manner why did he not give the Committee the benefit of his advice and try to improve the clause? The right hon. Gentleman spoke about mere paper declarations. No one despised paper declarations more than he (Mr. Gibbs) did; but he was desirous of bringing into contrast the difference of opinion that existed on the question of supremacy amongst the supporters of the Government. Certainly some of the supporters of the Government desired that the supremacy should not be impaired; but hon. Gentlemen below the Opposition Gangway equally desired that it should be impaired. That was

the real reason which was actuating the Government in opposing the clause. What was the position of the Home Secretary in this matter? When the Prime Minister spoke, he (Mr. Gibbs) supposed that the Home Secretary had been thrown over; but after hearing the Home Secretary he could only suppose that the right hon. Gentleman had thrown himself over. The right hon. Gentleman said on the Second Reading that the Government would have no objection to a clause, and now he said that he would consider one if it were brought up. The right hon. Gentleman said that the supremacy of Parliament was unquestionable; but when he was asked whether or not he was prepared to give way on Clause 9, he had no reply to make; in fact, there was such a mass of nebulous hypotheses floating around each clause, and the action of the Government was so uncertain in regard to every point, that it was impossible to tell what the Government might do at any moment. The hon. Member for Waterford had asserted that he did not depart from Mr. Parnell's statement that

"The Irish Parliament should be free from outside control, and should enable Ireland to take its place amongst the nations."

He could not imagine any nation, however small or unimportant, accepting such a Bill as this if it were a nation. The Unionists refused to recognise the separate nationality of Ireland, and on that account they opposed the Bill, because it did recognise the separate nationality of Ireland. It was perfectly clear, however, that the Bill was insufficient to satisfy the national aspirations of Ireland. They could have no better assurance of that than the statement of the hon. Member for Waterford, that he maintained the same attitude as Mr. Parnell. Of course, the hon. Member did maintain it; he would be afraid to face those who had returned him to Parliament if he did not maintain that attitude. The Prime Minister said they had very little to say in this matter, except that he could not give a plain answer to a plain question. They did certainly say that, but they had more to say besides. The right hon. Gentleman should not put it down entirely to the stupidity of the Tory Party that they used that argument, for he should consider that he had always shown himself

supremely expert in explaining away anything he had said on any subject on any occasion in any part of the United Kingdom whenever it became inconvenient for him to admit it.

MR. KNOX (Cavan, W.): I rise to Order, Mr. Mellor. Is the hon. Member speaking to the Amendment?

THE CHAIRMAN: I cannot say the hon. Member is out of Order.

MR. VICARY GIBBS said, he had not the practised experience of speaking which other hon. Members enjoyed, so that when he was interrupted it wasted the time of the House, which he should have thought hon. Members below the Gangway should be desirous to economise, because it took him some time to recover the thread of his argument when he was interrupted. He was saying when interrupted that the Prime Minister had only himself to thank when he said they could not understand him; and if the right hon. Gentleman ascribed it to the stupidity of the Tory Party they might cheer themselves by the fact that the right hon. Gentleman the Member for West Birmingham—whom he had often heard abused, but whom he had never heard charged with stupidity—was precisely in the same difficulty as the Tory Party. They need not go beyond the present Debate for proof that it was very difficult to understand the right hon. Gentleman. The right hon. Gentleman gave as his reason why he did not attach weight to Mr. Parnell's statement that it was said long ago, and said outside the House. But when the right hon. Gentleman the Member for West Birmingham put forward that reason the right hon. Gentleman interrupted, and said that that was not his reason at all; that he had another reason, which was that he had no official knowledge of Mr. Parnell's statement. He had listened most attentively to the speech of the right hon. Gentleman, and he did not say a single word about official knowledge, and he was confirmed in that view by his Colleagues who sat around him. If the assertion of the supremacy of the Imperial Parliament was confined to the Preamble of the Bill, he was perfectly certain that it would be brought up against them in Ireland that there was no assertion of the Imperial Parliament in the Bill itself.

\***MR. T. W. RUSSELL** (Tyrone, S.) said, this Debate was one of very great importance, and up to the present the legal element had figured most conspicuously in it. No doubt it was, to some extent, a legal question; but a great many people who were not lawyers would read this Debate and have to make up their minds about it. He did not pretend to be able to discuss this question from the legal standpoint; but there were some things about it perfectly plain even to the non-legal mind. Let them assume the Irish Parliament at work, and it was only by assuming this that the necessity for supremacy could be said to arise. If there was one thing that a Roman Catholic Parliament—as this was bound to be, and he did not use the words offensively—if there was one thing more certain than another that a Roman Catholic Parliament would take umbrage at it was the doctrine of civil marriages. That was a matter acutely felt by Roman Catholics, and he could not imagine an Irish Parliament, dominated by priests, sanctioning civil marriage. Assuming the Irish Parliament passed an Act that made civil marriage illegal, it was quite certain that in that case the Imperial Parliament would interfere. Its right to do so had never been questioned—he did not question it, and he did not know anyone who did question the right of the Imperial Parliament to interfere with the Acts of any Assembly in the British Empire; the real matter for discussion was not the right to interfere, but the best way of interfering. Assume such an Act passed by the Irish Assembly and a Petty Sessions Court called upon to decide the question of the legitimacy of the children of such marriages, and, as the right hon. Gentleman the Member for Bury (Sir Henry James) very properly said, the Act would have to be construed by gentlemen who were not lawyers—assume an Act like that passed, and a Petty Sessions Court called upon to decide the legitimacy of the children of such marriages, could anyone imagine that a statement in the Preamble of the Act would have as much effect on the Petty Sessional Court as a direct Enacting Clause. [An hon. MEMBER: This is a Preamble to a clause.] He did not admit that, and, with all due respect to his hon. Friend, he would rather take

the legal opinion on this point of the right hon. Member for Bury (Sir Henry James). A distinct Enacting Clause in the Bill asserting the supremacy of the Imperial Parliament would be a better guide to these Magistrates; an assertion in the Preamble would not compare in effect and strength with an Enacting Clause in the Bill.

**MR. J. MORLEY**: What on?

**MR. T. W. RUSSELL**: The question of legitimacy.

**MR. J. MORLEY**: How could it come before the Petty Sessions Court?

\***MR. T. W. RUSSELL**: There are many ways in which it might arise. But let them take another question; take the Land Question, and that was not going very far afield. Let them suppose this Irish Assembly passed a Land Act, after the statutory period of three years had passed—an Act which that House considered oppressive and unjust. It did not require very large powers of assumption to assume that if there was one thing more certain than another it was that this would come about; and the reason he said so was that he believed that on this question hon. Gentlemen opposite would be true to their word, they would be true to the pledges they had given to the Irish people, and therefore it was not a large assumption to imagine a thing of that sort. Suppose the Imperial Parliament deemed the Act of the Irish Legislature oppressive, and made up its mind to interfere, he wanted to know if it was not better to have the right and the power to interfere put into an Enacting Clause than merely to have an assertion in the Preamble of the Bill?

**MR. SEXTON**: It is in Clause 33.

**MR. T. W. RUSSELL** said, they had been a long time finding it out, and he did not believe it was.

**MR. SEXTON**: The words are, "The Irish Legislature cannot repeal or alter," and so on.

\***MR. T. W. RUSSELL** said, he was not speaking of a British Act extended to Ireland by the vote of that House, but of an Act expressly passed by the Irish Parliament to deal with the Land Question. The Committee ought to remember there was no dispute as to the question of asserting the supremacy of Parliament in the Bill. If the Government took the ground that it was not

necessary to put it in the Preamble at all, that the supremacy of Parliament was inalienable, if it took that ground he could understand them; but the Government did not take that ground—they put it in the Preamble. His argument was that if the Government took the position it was not necessary to assert it at all, either in the Preamble or a clause, he could understand that position. It was a mere question of assertion in the Preamble *versus* an enactment in a clause, and the Committee ought to be able to come to a judgment on an issue like that very easily. The Debate had taken place to-night in a House in which there was scarcely a Member on those (the Ministerial) Benches but was pledged up to the chin to the supremacy of Parliament. If there was one thing more than another English Members pledged themselves to their constituencies upon it was the supremacy of Parliament. [An hon. MEMBER: Agreed!] Yes; and when they were brought face to face with an Enacting Clause making that supremacy unquestionable, not a man rose in his place to say a word about it. He believed the reason why the Government would not accept the Amendment, and why they were keeping silent, was because they did not mean the supremacy of Parliament to be real. What did the hon. and learned Member for Waterford (Mr. J. E. Redmond) say? His argument was that, although he could not destroy the supremacy of Parliament, he and his friends would not be content with anything less than an arrangement in the Statute that it was not to be exercised so long as the Irish Parliament existed. He was obliged to assume, from arguments like these, that this was part of the understanding and agreement that was referred to in past Debates between hon. Gentlemen opposite and the Front Bench. If the Government meant to assert the supremacy of Parliament let them put it in their Bill; and if they did not the country would understand what they did mean was that the supremacy of Parliament was not to be a real supremacy at all.

\*SIR R. TEMPLE (Surrey, Kingston) said, he rose to ask a very plain question of the Government. Would they be so kind as to refer him to the passage in which the late Mr. Parnell said that he would accept either the Home Rule scheme of 1886 or some other Home

Rule scheme of that kind as constituting a subordinate Parliament in Dublin to the Parliament in Westminster?

MR. J. MORLEY (Newcastle-upon-Tyne): It will be found reported in his speech.

\*SIR R. TEMPLE said, he took down the word "subordinate" at the time the Prime Minister used it, when he pointed with outstretched arm to hon. Gentlemen below the Gangway, and said—"These words were uttered from there." Therefore, if they were so uttered, they must be in *Hansard*.

MR. J. MORLEY: They are in *Hansard*.

\*SIR R. TEMPLE was obliged to the right hon. Gentleman for referring him to it, as he should be glad to see the passage in which the late Mr. Parnell used the word "subordinate." He did not pretend to be acquainted with Mr. Parnell's views; but he had heard every speech that gentleman ever made in that House since 1885, and he did not remember ever hearing him say that the Parliament in Dublin should be subordinate. Certainly, he should have thought such an idea was wholly foreign to the hon. Gentleman's mind. He brought forward the point because the Prime Minister seemed to attach great importance to it as affecting this particular Amendment which was under the consideration of the Committee, and he quite agreed with the Prime Minister in thinking that Mr. Parnell's opinions were still important, and that, although dead, he still spoke to many people in Ireland. If he might judge from the brilliant speech of the hon. Member for Waterford (Mr. J. E. Redmond) on the Second Reading, he did not think that hon. Member was imbued with the idea of the Dublin Parliament being subordinate; the very notion was contrary to almost all he uttered, and he seemed to be true inheritor of the Parnellite tradition. He understood the hon. Member for Waterford to say that if there was anything like a supremacy it could only be tolerated so long as it was kept dormant. How far the idea of such subordination would be entertained by other Nationalists—by the Leader of the anti-Parnellite section, he did not know; but he imagined there must be large sections of Nationalist electors in Ireland who would reject the idea of the Dublin

Parliament being subordinate to the Parliament here. The Home Secretary (Mr. Asquith) made some remarks upon some criticisms that were very justly and appropriately used by the Leaders of the Opposition as to the insufficiency of what were called paper securities. They on that side of the House agreed in that, but still it was better to have a paper security than none at all; though it might not be worth much, still it was worth something more than the paper on which it was written. It was the law, after all, and in this civilised age it was always an advantage to have the law on their side, though they had no means of carrying it out. Now, with regard to this Amendment as affecting the Preamble. He listened with great respect to what fell from the Home Secretary; but he would like to express to that right hon. Gentleman and all who sat on the Front Bench the fear and apprehension that was entertained on his side of the House was that the Government were willing enough to have words about supremacy so long as they were in the Preamble and in the air, so to speak. But the Opposition were not satisfied with the Preamble. Some lawyers told them the Preamble was sufficient, others told them it was insufficient, and hon. Gentlemen below the Gangway told them that subordination was always to be kept in a state of suspended animation; therefore, could it be wondered at that they were wholly dissatisfied with a Preamble of that description? Their fear was increasing almost to a point of suspicion when they found a Government, so willing to put words about supremacy in the Preamble, hesitating the moment they came to put them into a real clause—a clause about which there could be no doubt. They wanted to have the words of supremacy put into an Enacting Clause, and they contended that this was the proper clause to put them in—a clause which laymen could understand, which lawyers would accept, which Courts would enforce. As to its being a limiting clause, it was nothing of the kind. It was a governing clause, a fundamental enactment, and the very basis and foundation of the whole matter. The words of the Amendment were not only necessary, but this was the only clause into which they could be inserted. The words proposed, he considered, were a very salutary and necessary qualification.

*Sir R. Temp's*

It was wholly unjust and a misdescription to say that this was not an Enacting Clause and that this was not an Enacting Amendment. The Home Secretary said, in effect, that they need not trouble to press this Amendment, because he promised there should be a sufficient clause introduced later on. He did not doubt the sincerity of the right hon. Gentleman's intention; but still there were many ways of carrying out an intention, and the right hon. Gentleman must forgive them if they felt some distrust, especially when they considered the somewhat shifty manner in which the Government dealt with the question of supremacy in the Preamble and declined to put it in a clause. There might be a clause of some kind intended; but who knew whether it would be satisfactory or not until they had had an opportunity of considering it? Moreover, if such an important clause as that were in contemplation, why was it not drafted, printed, and put on the Notice Paper, so that hon. Members would have an idea of what was to follow? It would have given them some confidence in the sincerity of the Government if a clause of that kind had been already put on the Notice Paper; and as it was not, they should certainly vote with his hon. and learned Friend in the Division, for assuredly a more important matter could not be brought before the House. There was no ground whatever for accusing them of any intention of impeding the passage of this Bill through Committee, because they insisted on debating the ins and outs of this important question. They desired that the supremacy of Parliament should be enacted in a manner from which there was no evasion and no escape; therefore, he trusted the whole Unionist Party in the House would insist upon this question being thrashed out, and an Amendment thoroughly competent and workable being inserted in the Bill.

SIR J. GORST (Cambridge University): I hope the Committee will allow me to say a few words upon the Amendment, because, to my mind, a great alteration has been made on this question by the speech of the hon. and learned Member for Armagh (Mr. Barton), to which the Government have made no reply. I was always myself of opinion that this question of supremacy was one which the Government were very glad

to air in speeches to the constituencies, because it was a great thing to be able to say to the British electorate that the supremacy of the Imperial Parliament was in no way interfered with; but it had very little meaning. I was myself of the same opinion that the Home Secretary seemed to be—namely, that you could not impugn the authority of the British Parliament, whether you have Preambles in your Bill, or whether you have Enacting Clauses in your Bill, or whether you left them out, that the supremacy of the Imperial Parliament was undoubted—that nothing could add to it and nothing take from it. I am glad to see that opinion shared by hon. Members opposite. But that was also tempered by the consideration that if that was all that Imperial supremacy meant there was very little in it, because that meant the Imperial supremacy would enable you legally to enact laws for Australia or for New Zealand; but who on earth in this age and Parliament would ever dream of suggesting, though Parliament had legally the power of doing it, that we should presume to pass laws for either the domestic affairs of Australia or New Zealand? If that sort of supremacy was all you meant in your declaration about Ireland, it would not have prevented Ireland from becoming, under a Home Rule Bill, as entirely a separate legislative community as either Australia or New Zealand. I thought supremacy was a mere fiction and figment; that Parliament would obtain a nominal power to legislate; but that it was a power which could practically never be exercised. I confess that, in my mind, an entirely new complexion has been put upon this question by the speech of the hon. and learned Member for Armagh. That speech was made in a very full House. The Prime Minister was present, and not only the Prime Minister, but the Legal Adviser of the Government, the Solicitor General was sitting in a corner of the Bench, and was smiling in interested attention to that speech; and I confess I thought, when my hon. and learned Friend sat down, after making what I consider an extremely powerful and quite a new argument upon this question, that after the professions that had been made by the Government of their readiness to answer any real point, the Solicitor General would at least have risen to have advised

the House upon the striking argument of the hon. and learned Member for Armagh. But, as I understand now, this argument and new view of the position is to be treated as so many other arguments have been treated in this Debate—with silence and contempt. I would like to press upon the right hon. Gentleman the Chief Secretary, who is, I believe, a gentleman of candid mind, who will appreciate an argument even by an opponent, what the argument used by the hon. Member for Armagh is. My hon. and learned Friend stated, as I understand, that so far from the supremacy of Parliament in Ireland resting, as it does in all other parts of Her Majesty's Dominions, upon the undoubted rights and prerogative of the Crown and Parliament, in the particular case of Ireland it rested only upon Statute, and only upon one Statute—the Act of Union. My hon. and learned Friend showed that previous to the Act of Union, the power of the Legislature at Westminster to have laws to have effect in Ireland had been disputed, and had, by a decision of Judges, been refuted, and in other cases had had very considerable doubt cast upon it, and that, so far as the power exists at the present moment, it rests not upon the general law by which this Parliament can make laws for every part of Her Majesty's Dominions, but rests upon one single Statute—the Act of Union. What Parliament has enacted Parliament can take away, and if the power to legislate in Ireland rests upon Statute that power can be taken away also by Statute. And, therefore, so far from the general power of Parliament surviving the passing of any Act of this particular Parliament—so far from that surviving, it seems to me, if words were used in passing a Statute taking away that power which exists only by virtue of the Statute of the Act of Union, the power to legislate in Ireland might be gone. That may be right or it may be wrong; but I think hon. Members below the Gangway will admit, for the credit of their countrymen, that that is one of the first new things said this Session on the Home Rule Bill. It was said by one of their countrymen, of whom I dare say they are proud, although they differ from him. But there was a real, serious, sober argument which demanded some answer. Her Majesty's Government have not the advantage of the presence



of an Irish Law Officer, because, notwithstanding the confidence of the Irish people in the present Government, they are not willing to supply them with a Law Officer to advise them on Irish legal questions. But they have the Solicitor General there. The Solicitor General heard the argument of my hon. and learned Friend, and I saw his eyes twinkling with pleasure at the powerful legal argument addressed to the House. I was once, in former days, a learned Member myself, and though I have long since ceased to have any claim to that character I hope I retain enough of my professional powers to be able to appreciate a good legal argument when it is used by someone else, and I confess I was very much struck and moved in my mind by the powerful argument addressed to the House by the hon. and learned Member for Armagh. I must say that the Committee is entitled, in a situation of this kind, to the assistance of the Solicitor General, because it has been often stated in this House that the Solicitor General is not only the Law Officer of the Government, but of the House; and when the House is puzzled by the ingenious arguments which gentlemen of the long robe address to it, they have a right to call on the Law Officer of the Crown to state what his official and responsible views are, and to guide the House in the decision it may come to. Unless the Solicitor General can refute the argument of the hon. and learned Member for Armagh, I submit this question is not in the position it was in when the Prime Minister addressed the House. It is not a case in which the Government can say—"Oh, we did not think anything necessary, and we leave it to the Opposition to bring forward a clause." Unless you refute the argument of the hon. and learned Member for Armagh a clause is necessary; and, if so, it is the duty not of the Opposition, but of the Government, to submit such a clause to the House. Really, I rise as a sort of protestant. I do not like to be left in the legal darkness in which the reticence of the Government has left me, and I am merely in the position of what Tennyson calls "a child crying for light." Let me be enlightened by the legal luminaries oppositely. Let my faith, which has been rudely shaken since the speech of the Prime Minister in consequence of the

argument of the hon. and learned Member for Armagh, be rehabilitated; and if the Solicitor General, who is one of the ablest lawyers in the House, can rehabilitate that confidence which I felt in the law as laid down by the Prime Minister, and if he can rehabilitate the faith of the House in that law, then, perhaps, the Government can stand on the position that a further clause is not necessary; but, unless this argument can be answered, a further clause, in my opinion, is necessary.

MR. J. MORLEY: As the right hon. Gentleman has appealed to my candour—an appeal I always find it hard to resist—I feel bound to say a word or two—and a word or two will be quite sufficient—on what he calls the new position established by the argument of the hon. and learned Member for Armagh. The main part of the speech of the hon. and learned Member for Armagh was an account of the various cases in which the supremacy of the Parliament in London had been denied by the Parliament in Dublin. Yes; but the hon. and learned Member left out of the sight of the House the whole of the reply to that argument, which was that that Parliament was not the Imperial Parliament in the ordinary sense, but the Parliament of Great Britain or the Parliament of England. Therefore, the whole of the elaborate structure the hon. and learned Member built up—and I was able to follow him as he went along, as I happened to have before me the source of his argument—the whole of that fabric falls to the ground the moment it is considered that the supremacy which was denied in those cases was not the supremacy which we are discussing; it was the supremacy of a Parliament which no longer exists—namely, the Parliament, first, of England and then of Great Britain. The hon. and learned Gentleman contended that the supremacy of this Parliament rests upon the Act of Union. Very well; whatever the supremacy as established by the Act of Union was, that it is and remains in spite of this Bill. If this Bill becomes an Act in the form in which it is now presented to Parliament, there will not be a line in it which impairs or restricts the supremacy as constituted by the Act of Union, and that is my answer to the hon. and learned Gentleman.

\*MR. H. MATTHEWS (Birmingham, E.): I think the right hon. Gentleman hardly apprehended the force of the argument which he has to meet. The question which we are now discussing is how such Parliament as is left to this country by this Bill will have supremacy over Ireland, how far it will be able to legislate for Ireland, and how far you will be able to interfere with the Acts of the Irish Legislature you are going to create? The hon. and learned Member for Armagh adduced an argument which is perfectly unanswerable, I think, showing that up to 1782 the rights of the Parliament sitting on this side of St. George's Channel were never recognised. Its power over the Irish Parliament was always disputed by the authorities on the Irish side of the Channel. It was always asserted by them that this Parliament had not any real right to legislate for Ireland, and their contention was conceded in 1782, and in the most formal and solemn way the Parliament of Great Britain recognised and acknowledged that the sole right to legislate for Ireland was in the King, Lords, and Commons of Ireland. Then came the Act of Union, and I quite agree that under the Act of Union it was put beyond all doubt that the Parliament constituted by the Act of Union was a Parliament having supreme authority over Great Britain and Ireland. The right hon. Gentleman has just said there is not a line in the Bill touching the supremacy of this Parliament. No; but you destroy that Parliament. The Parliament left by your Clause 9 is not the Parliament of the Union. Certainly not; it is a Parliament in which at least 103 Members are shorn of part of the privileges which the Act of Union gave them. The Parliament left by your Clause 9 is not the Parliament of the Act of Union. What do you do by your Bill? By Clause 2 you give the exclusive right of legislating for Ireland to the new Irish Legislature. You give that in terms as wide as any Parliamentary language can possibly be. You give it the right to make laws for the peace, order, and good government of Ireland. That means the absolute right of legislating on all subjects so far as Ireland is concerned. It is true you keep alive a certain Parliament by Clause 9; but it is no longer the Parliament created by the Act of Union

and to which the supreme right of legislation was reserved by that Act. But the Act of Union is the sole foundation upon which the right of this Parliament to legislate for Ireland rests. [Sir W. HARCOURT dissented.] I see the Chancellor of the Exchequer shakes his head. I would agree with him if it were conceded Ireland was a conquered country. If it were, I agree, according to the sound Constitutional principles of English law, the supremacy of this British Parliament would prevail over Ireland. But that has never been conceded in Ireland. We may maintain it, but the Irish have always denied it; and when your Bill is going to be interpreted by Irish Judges and Irish Courts, can you expect that the Irish Judges and the Irish Courts will not construe the clauses of that Act in the way and in the sense in which the Irish contention has always proceeded in this matter—that is, deny that Ireland is a conquered country, and deny that the inherent right of supremacy over the legislation for Ireland rests with the Parliament of this country as the Parliament of the conquering race? The Act of Union is the sole document which gives this Parliament any supremacy over Ireland. That is an argument I should like to hear refuted by the Law Officers of the Crown. The Parliament of the Act of Union will disappear under your Bill, and it will be a different Parliament under your Clause 9. If Clause 9 is modified by excluding the Irish Members, I fail to see any ground upon which any Constitutional lawyer will venture to argue that the Parliament from which the Irish Members are excluded is the heir, or representative, or the equivalent of the Parliament under the Act of Union which could legislate for Ireland. The truth is that, though Her Majesty's Government in Debate across the floor of this House tell us they are as anxious to assert and maintain the supremacy of whatever Parliament will be left to us if this Bill pass as it is, for some reason or other they shrink from saying so plainly. The Prime Minister met this Amendment by arguments which I should think did not carry the slightest conviction to any human being. I speak with all respect of what falls from the Prime Minister; but his arguments were simply criticisms as to the manner in which the hon. and learned Member for Deptford had attempted to

assert the principle in which we all agree. This, forsooth, was a recital and not an enactment! His next objection was that we did not assert the supremacy of the Parliament in the Island of Ceylon or in some remote Colony of the Crown. But the supremacy of Parliament in the Colonies is not in question. The only point in question now is as to the supremacy in Ireland, and it is in Ireland that the dispute has always been. I defy any Constitutional lawyer to say that you can tamper with the Parliament constituted by the Act of Union, alter its constitution, its functions, and the right of the Members who sat in it, and not require some express words to keep alive the right to legislate for Ireland which this Parliament undoubtedly possesses now. Another argument of the Prime Minister was to fall back on Clause 33; but that clause shows the same extraordinary coyness, the same shrinking modesty, about asserting the principle of supremacy, that characterises the whole of the rest of the Bill. Do the Ministers of the Crown mean that Parliament shall have the right to pass an Irish Act alone, not coupled with an English Act, and to interfere with, alter, and, if necessary, repeal, Acts of the Irish Legislature? If so, Clause 33 does not say so. If you mean that, why do you not say so in terms? I should like to hear whether the hon. and learned Member for Waterford (Mr. J. E. Redmond) assents to the proposition of the Prime Minister?

MR. T. M. HEALY: Would you like to hear the whole of us?

MR. MATTHEWS: No; I would select the hon. and learned Member as a Representative; I would be content with his views, and would challenge him to say whether he understands that this Bill, as now drafted, means that the Imperial Parliament, which, under Section 9, would have some of its Members lopped off and which would not be the Parliament of the Act of Union, but a different Parliament created for the first time under this Bill—I would ask the hon. and learned Member whether he understands that that remnant of a Parliament is to have power to review and repeal the whole of the Irish legislation, and to see that the Acts of the Irish Legislature shall not run counter to any enactments passed by this Parliament upon any of those subjects which

are expressly left to the Irish Parliament? That is what the Government are unable to say. If they are really sincere they will give us the information for which we ask and which we have a right to demand.

\*MR. J. G. BUTCHER (York) said, if they were going to make a lasting compact by this Bill, it was essential that all the Parties to that compact should mean the same thing. The hon. and learned Member for Dumfries had said that they were all agreed on the subject. He, however, thought that it was a pertinent question whether that were so or not. He took it that the main and fundamental question involved in the matter of supremacy was whether this Imperial Parliament was, or was not, to legislate upon matters that were given over to the competence of the Irish Parliament. He should like to hear what were the intentions of the Government on this vital question; and it would have been more satisfactory if the Government had given a promise to bring in a clause on this point. The Unionist Party knew what they meant: they meant that power should be reserved to the Imperial Parliament to legislate upon those questions that were left to the Irish Parliament. The views of the section of the Irish Nationalist Party of which the hon. Member for Waterford was the acknowledged head were also known. The hon. Member, speaking on February 14 this year, had said that the Irish should have some guarantee that the Imperial Parliament would not exercise its rights of legislation over Ireland over their heads upon the questions committed to the Irish Parliament. That was a view not expressed in the heat of Debate. Again, in *The Nineteenth Century* for April last, the hon. Member stated that he asked for an amendment to prevent by express enactment any interference by the Imperial Parliament in the legislative sphere of the Irish Parliament. Again, *The Irish Independent* newspaper, on February 17 last, stated that the Independent Party would demand a clause providing that the power of concurrent legislation should not be exercised while the Irish Parliament existed. That clause was not on the Paper as yet. Whether it appeared on the Paper or not would depend on the exigencies of Debate—

MR. J. E. REDMOND (Waterford): And on the tactics of the Opposition.

*Mr. H. Matthews*

\*MR. BUTCHER said, he was astonished to hear that a question which was admitted to be of vital importance to Ireland and to its Legislature should depend simply upon the tactics of the Opposition. A conference of the Independent Party was held in Dublin not long ago, and the proceedings were reported in *The Irish Daily Independent* of March 10 last. On that occasion a resolution was passed to the effect that the Irish Parliament should have full power over all the affairs of Ireland, including the land, and that the laws enacted by it should be subject only to the veto of the Crown, or the representative of the Crown in Ireland. What were the views of the other section of the Nationalist Party, the Party who had been squared, or who had, at any rate, been reduced to a degree of silence which was somewhat unusual, and which must be most galling and irksome to them? He trusted before the Debate concluded there would be some expression of opinion from that section. They would not probably be prepared to repudiate the views of the hon. and learned Member for Waterford. If the views of the Nationalist and Unionist Parties were as he had stated them, he thought the Government ought to introduce a clause which would say which of those views most nearly represented their own views. He would press upon hon. Members opposite the enormous importance of introducing into this Bill a clause which would settle the question as between the various Parties in the House, and which would, rightly or wrongly, say that this House should have power to deal with questions within the competence of the Irish Parliament, and which would put an end to questions which otherwise would prove of the greatest difficulty and danger to the harmonious working of the Irish Legislature.

Opposition cries of "Rigby" [meaning the Solicitor General for England (Sir J. Rigby, Forfar)], but the hon. and learned Gentleman did not rise.

\*MR. COURTNEY (Cornwall, Bodmin): My hon. and learned Friend the Solicitor General does not appear to be prepared to address the Committee at this moment, but I hope I may have the privilege of hearing him in a few minutes. The Chief Secretary (Mr. J. Morley), in discussing the argu-

ments of the hon. and learned Member for Armagh (Mr. Barton), has pointed to the fact that we made an entirely new departure in the Act of Union—that in 1782 we renounced the authority which up to that time had been continually asserted and often exercised, and that the Act of Union was an Act between two independent Parliaments. He argued that the precedents cited by the Member for Armagh were out of date. I myself should have been glad to take the Act of Union as a dividing line from which to start; but, unfortunately, I have to recognise that the Act of Union is a discredited fact; it is a product of blackguardism. We have also heard it forcibly asserted that the Irish Parliament had no moral authority to consent to the Act of Union. That being the position of affairs in regard to the Union, according to the highest authority who drew this Bill and otherwise widely maintained, the Act of Union cannot be safely taken as the starting point from which to proceed to the re-establishment of two Parliaments in Great Britain and Ireland. I cannot accept the doctrine which some legal authorities have laid down as to the impossibility of restoring two independent Parliaments. It is a very singular commentary on the omnipotence of this House that, composed as it is of Members for Great Britain and Ireland, it could not, even if desiring to re-establish two Parliaments independent of one another, effectively embody in an Act what it wished to accomplish. I believe this difficulty to be a mere figment of some Constitutional jurists. It would be quite possible to re-establish that which the Irish Nationalist feeling says ought to be established, which according to their belief was never destroyed with any moral justification—the relative independence and authority of the two Parliaments. I admit that under this Bill that line has not been taken. The Bill technically preserves the authority of Parliament, and I am content to take my stand on the admission that theoretically the supremacy of Parliament is maintained by the Bill. But what is the question? Has the Committee, then, been arguing an empty abstract question? I venture to think that there was a substantial basis for the argument which has occupied the attention of the Committee, and it is this:—Admit that

the supremacy is technically maintained, that it is a paper supremacy, a supremacy of the same kind as that over the Parliaments of Australia and Canada. Is that supremacy a working supremacy? Is that supremacy something which represents a real power which can be exercised when occasion calls for it, or is it a supremacy only called so in name, to be put on the shelf, and incapable of being used? The test of the argument is this—Do you wish to have a real, vitalised supremacy through which the conscience of Great Britain can act with the authority of Parliament, with definite machinery to express its will if the occasion arises; or do you wish for a sterilised supremacy which means nothing except an empty respect paid to a dead idea? We are here testing two distinct lines of conduct of the argument which has prevailed during the last six or seven years as to the relation of the Parliament at Westminster towards the Parliament at Dublin. I can refer to Members on the Government Bench, and probably to still more hon. Members behind them, who have said over and over again in the country that they are not going to consent to the setting up of a Parliament in Dublin which may do what it chooses; but that they mean to have guarantees which shall give the power of securing that whenever the Parliament in Dublin does anything unjust, injurious, or prejudicial to the interest of a considerable section of the people of Ireland, the Parliament at Westminster shall be able, actively and fruitfully, to interfere. That has been the language used by a great many hon. Members of the Government Party, and it has helped very considerably to establish them in their present position. The issue raised by the Amendment is this—Do the Government intend to consent to the introduction of Amendments, of which this is the first, which shall incorporate in the Bill the guarantees which they have been professing they would insist on securing if ever the Bill became law? The right hon. Gentleman the Chief Secretary has indulged in repudiation of this idea; and the Prime Minister assures us of the stability of the Imperial supremacy as it now stands. We have reached the first stage of this controversy. Is Parliament to be endowed with an empty vague supremacy, or is Parliament to have a supremacy that would be operative—that will be a real supremacy,

*Mr. Courtney*

that can be called upon if occasion should arise? Are we to have such a supremacy, or are we to have one for which we are to entertain only an empty respect? I hope we shall now hear a few words, giving clear information upon this point, from my hon. and learned Friend the Solicitor General (Sir J. Rigby).

There were loud cries of "Rigby" on Mr. Courtney resuming his seat, but as Sir John Rigby did not rise several Members of the Opposition sought to address the Committee.

MR. J. MORLEY, at 9.55, said: I beg to move, Mr. Mellor, that the Question be now put. [*Cries of "Oh!"*; "Chair!"; "Shame!"; "Scandalous!"]

MR. BARTLEY: It is scandalous.

MR. T. M. HEALY: Remember 1887.

Question put, "That the Question be now put."

The Committee divided:—Ayes 243; Noes 195.—(Division List, No. 68.)

Question put accordingly, "That these words 'Subject to and,' be inserted in the proposed Amendment."

The Committee divided:—Ayes 222; Noes 276:—(Division List, No. 69.)

MR. J. MORLEY claimed, "That the Question on the Amendment be now put."

Question put,

"That the words 'without in any way whatever impairing, restricting, or altering the supreme power and authority of Parliament in all matters, as well local as Imperial, and over all persons in Great Britain and Ireland' be there inserted."

The Committee divided:—Ayes 233; Noes 285.—(Division List, No. 69.)

LORD R. CHURCHILL: The recent occurrences in the proceedings of the House compel me to submit to you, Mr. Mellor, a Motion, and that Motion is that you do now report Progress. It is obvious that in placing that Motion before the House I am not speaking my own mind alone. I am representing, I am certain, from what I have heard from communications which have taken place between the general body of the Unionist Party during the opportunity which the right hon. Gentleman has given us, the opinion of that Party. It is evident, from the attitude of the Unionist Party, that this is a Motion which is going to be persisted in. [*Interruption.*] I cannot help speaking strongly. Hon.

Members below the Gangway must feel that we have a Parliamentary position in this Motion which we have a right to put forward and to which we have a right to adhere; and it will not help the discussion of this Motion if it is met with nothing but clamour and noise. I should never have made this Motion if it were not that there are a very large number of Members who are prepared to support it. I hold that the House is not in a condition, after what has passed this evening, to continue the discussion of such business. I move to report Progress because we are engaged in discussing the greatest measure that could be brought before the British Parliament, and because it has been shown by indisputable evidence that neither the supporters of the Government, nor the Chief Secretary for Ireland, nor the First Lord of the Treasury, are prepared to extend to the constitutional Opposition which is opposed to this Bill the slightest fair play. These tactics we must meet at the outset, not only in our own defence, but in defence of the interests which are committed to us. We are bound by every conception of Parliamentary duty to nip in the bud the policy of silencing the arguments of the Opposition against the Irish policy of the Government. That cannot be. Give us the rights and limits of the Opposition to which the right hon. Gentleman the Prime Minister has been accustomed for 50 or 60 years. Never before has such conduct been pursued towards an Opposition numbering nearly half the House, and an Opposition which represents the majority in Great Britain, and who are engaged, and were engaged, in discussing what everybody must admit to be—what you yourselves must admit to be—one of the most important features of this Bill. At this hour of the evening, when the Debate might have terminated perfectly peacefully before the close of the night, and when one or more Members were prepared to discuss the question as reasonably as they could, and to advance what arguments they could, on this important Amendment, the voices of the Opposition were silenced, and is this to be the manner in which the Bill is to be conducted through the House? Let me tell the right hon. Gentleman that this is not the manner in which the Bill can be carried through Committee. He will have to resort to proceedings which he has never dreamed of if he

thinks he is going to silence the Opposition. If he imagines he is going to carry this Bill without argument and only by brute force and the Closure—I tell him, on behalf of everyone on these Benches, that never before will he have encountered an Opposition so determined. I appeal to him, from his enormous experience of Parliament, to say why he now introduces this new procedure. Perfectly useless it is—perfectly without precedent. Yes, taking into account the nature of the issue between us, I say it is unprecedented. It cannot help him in the progress of his Bill. It will only lead to what he seems to like most—it is based upon the only argument he seems to have recourse to—the argument of the gag. It is perfectly possible that if it comes to a trial of physical strength we shall prove to have as much tenacity as the right hon. Gentleman and his Colleagues. Hon. Gentlemen from Ireland below the Gangway, no doubt, disapprove of my action; but they have known what it is to resist the Prime Minister. They did it, and they certainly carried their resistance to extraordinary lengths. But this is a far more aggravating danger, and I hold that every length of opposition on our part, every act which can possibly be justified by precedent in regard to resistance by the Opposition of a tyrannous majority can be used, and I expect will be used to the fullest extent if this kind of policy be persevered in. So, now, Sir, I move that you report Progress, that the Government may, at any rate, have time to consider this question. I say that the Committee will do well to consider seriously the whole position between the two Parties before they finally decide on a continuance of the policy which the Government have adopted. I think it is necessary to have time to consider all the issues of the new development you are giving to a struggle which God knows is bitter enough—a development which will lead you further than you have ever heard of, and may even disorganise for a long time and break up almost all the order of the House of Commons and all the customs of Debate—because, believe me, I pray you believe me, in this matter, we will not yield.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Lord Randolph Churchill.*)

**MR. W. E. GLADSTONE:** Although this is an occasion of some excitement, it is the duty of Members in prominent positions to endeavour to allay it. At any rate that is my opinion, and I will endeavour to resist the infection of the noble Lord's excitement. I see no occasion for it whatever. At the same time, were there occasion for it, I hope I should be inclined to take a very different direction from that which the noble Lord has taken, for I am certain that nothing but mischief can arise from the course he is pursuing. Let us see what are the noble Lord's points. He has made a Motion to report Progress—to stop the Business of the evening, out of which a little more than an hour has been left to us by those who have chiefly consumed the time of the Committee. What does he allege in support of that Motion? His first reason is that this is a most important Bill. I cannot myself perceive that from the importance of the Bill it flows legitimately, and as a consequence, that we ought to stop discussion upon it. Next, he says that I have introduced a new procedure. Sir, I am not the author of the procedure under which the discussion which was just now in progress has been stopped. The honour of that authorship belongs to Gentlemen opposite. By virtue of that procedure I have seen liberty invaded, a Coercion Bill forced upon Ireland without any discussion whatever in Committee of this House—upon some of its most important provisions. I disclaim the honour altogether. Were I to set out upon a course which would be new to me, and to endeavour to give large application to the principle of Closure, in vain should I struggle to imitate the noble and unsurpassed examples of those who have gone before me. But if the principle of Closure is in use, I imagine that there are certain occasions when resort ought to be had to it. Has this been an unreasonable occasion of resort to it? On what ground is it that so extreme a case has arisen as the noble Lord suggests? The noble Lord is getting into the habit of stating these extreme cases. He gave us one the other day. What is the basis of this complaint to-day? In 1886 we introduced a similar Bill without any declaration in the Preamble of the supremacy of Parliament, because we thought that supremacy was at once unlimited and perfectly secure. We have introduced

into this Bill a declaration of that supremacy in the hope of offering some consolation to some of our opponents. Gentlemen opposite differ from us as to the mode of expressing that supremacy, and they speak of a clause as the proper mode of declaring it, we differing from them upon that point, but expressing our willingness to consider their clause when we see it. Can we do more? We have declared our readiness to give full consideration to the recommendations which may be placed before us—

**LORD R. CHURCHILL:** By moving the Closure at a quarter to 10.

**MR. W. E. GLADSTONE:** The Amendment contains a proposal which we think is altogether a bad and dangerous method of attempting to secure the supremacy—a method which does not secure it, but weakens it. Have we attempted by silence to bear down the proposal of the hon. and learned Member (Mr. Darling)? [*Cries of "Yes!"*] Sir, four Ministers spoke from this Bench on the Amendment. We gave our reasons. I presume there was satisfaction with our arguments on this side of the House. We did not attempt to shut out the question. Our pledge holds good to consider your proposals when we see them. Under these circumstances it is that the noble Lord has used the somewhat inflated language that has fallen from him to-night. I do not know whether he intended to intimidate me or not; but if he did I do not think he will succeed.

**LORD R. CHURCHILL:** I did not in the least try to intimidate the right hon. Gentleman. I tried to tell the Government and the House the real truth.

**MR. W. E. GLADSTONE:** The noble Lord speaks of our position as an extreme one. We believe that this declaration of supremacy is unnecessary. We have opposed, and we have explained by four Members of the Cabinet our opposition to, the particular proposal made, which even its supporters found so faulty that they were obliged to set about amending it. We have offered to consider further proposals on the subject when they can be presented to us. The only answer made to us is that we have been challenged to produce a clause ourselves which we think to be totally unnecessary, and which we fear, if skilfully managed, may prove hazardous to the supremacy. It is in these circumstances that the noble Lord threatens us

with the extremest measures of an opposition with unheard-of numbers and power in debate. He threatens us with these measures after we have had four Divisions, in every one of which we have been supported by numbers exceeding the relative superiority of the Parties. These being the state of the facts, it is our duty, and will remain our duty, in whatever way such a Motion as this is made, provided no better grounds are given than the noble Lord has alleged, to resist it to the uttermost.

**THE CHAIRMAN:** I just wish to make one remark. I have permitted this Debate to go on to this point because I think there was some feeling in the Committee. The noble Lord has made his explanation, and the Prime Minister has answered it; but it is irregular and out of Order that there should be any further discussion on the Closure, which, having been accepted by the Committee, was the act of the Committee, and, according to the Rules of the House, can no longer be questioned.

**LORD R. CHURCHILL:** In the Motion I made to report Progress I carefully avoided discussing the act of the Committee, but discussed the general question, on which the right hon. Gentleman the Prime Minister replied.

**THE CHAIRMAN:** I watched the noble Lord, and he came very near the line. But I really want to point out that, this discussion having taken place, it would be altogether out of Order any longer to question the action of the Chair.

**MR. J. CHAMBERLAIN:** I shall confine myself strictly to the speech to which we have just listened from the First Lord of the Treasury. The right hon. Gentleman commenced by saying he did not see any necessity for excitement. Neither do I, and, as far as I myself am concerned, I am as cool as a cucumber. But, at the same time, I must point out to my right hon. Friend that the position of the two Parties is rather different. When a worm is trampled upon I do not think there is any necessity for excitement on the part of the person who tramples upon the worm; but I suppose, if one could in any way estimate the feelings of the worm, one might find that there was considerable excitement there. My right hon. Friend considers that our excitement or our feeling is altogether unreasonable, and he com-

plains of the noble Lord for moving to report Progress. He says this is a very important Bill, and he does not see why the discussion on it should be stopped. That is precisely the point which we wish to raise. [*Cries of "Order!"*] I am answering my right hon. Friend, and if he was not out of Order neither am I. I say that this is the question which we desire to raise—why discussion upon important questions—I am not speaking now of the past, I am speaking of the future; the past is over; you cannot mend what you have done. You will feel the consequences before the end of this Debate. Let us consider what is to happen in the future—whether the discussion of this important Bill is to be stopped whenever the Chief Secretary dances up and moves the Closure. The Prime Minister says, as a reason apparently for what has happened, that we have chiefly consumed the time of the House. That is perfectly true. We have been putting our arguments, and I venture to say they are important and serious arguments.

**MR. E. H. BAYLEY:** I wish to ask whether, after your ruling, the right hon. Gentleman is in Order?

**THE CHAIRMAN:** The right hon. Gentleman, I understand, is speaking of the future. He is not entitled to refer to what is past.

**MR. J. CHAMBERLAIN:** With all respect, Sir, I will endeavour to tread the very narrow bridge you have laid for me. I say, then, that we have laid arguments before the Committee; in future also we hope to lay before the Committee further and important arguments, and we shall consume the whole of the time of the Committee unless the Government will reply to us. We have yet had no adequate reply whatever. It is quite true that four Ministers have made brief speeches; but I contend that arguments, and important arguments, have been laid before the Committee which have received no answer at all. What is the case? What might happen in an important Debate at a future stage of this Bill? The right hon. Gentleman the Member for Bodmin might get up and make an absolutely unanswerable speech—such a speech as has never been heard in this House before without a reply—and the Government might refuse to reply to it. I say that, under these circumstances, of course we should consume the time of



the House. There was another argument of my right hon. Friend which must, I think, be called a *tu quoque* argument. We apparently, throughout this Debate on the Home Rule Bill, are to be subjected to the Closure whenever it pleases the right hon. Gentleman or his Colleagues to think that we have sufficiently consumed the time of the House, because in the past—he refers, I think to the year 1887—the Irish Members were closed upon a Crimes Bill. I may remind the Committee that that was not the first occasion on which the Closure was used. It was used in 1882, and on that occasion it was used by my right hon. Friend the Head of the Government, of which he and I were Members. What I want to point out is that, at all events, that case was entirely different from this. We were dealing then, rightly or wrongly, on both occasions with a Bill the passing of which we believed to be urgently necessary for the peace and order of Ireland. We are dealing now with an immense Constitutional reform, with a totally different subject. It cannot be pretended by anybody that it is a matter of importance whether this Bill passes on one day or another. The Government do not pretend that the matter is so urgent that a few hours or days longer in passing the Bill can make any difference, because the appointed day for the Act coming into operation is postponed considerably after the time when they hope to pass it. That was not the case with regard to the Crimes Act, and therefore I maintain, in spite of the right hon. Gentleman, that his *tu quoque* is not in any way applicable. The last argument he used was to the effect that he should be justified in the future in putting the Closure upon us because he has been supported on the present occasion by majorities larger than his normal Party majority. Does the right hon. Gentleman mean to say by that that Members of the Unionist Party have differed from their Party and voted with him? [*Cries of "Order!"*] I am answering an argument, and I intend to do so. The only force in the argument of my right hon. Friend would be if the Division showed that his majority had been increased by dissensions among the Unionist Party. That is not the case. On the contrary, there were Members of his Party in our Lobby; and although they can take a great deal from my right hon.

*Mr. J. Chamberlain*

Friend, they are unable to follow these very arbitrary proceedings on his part. I make a suggestion for the future in the interest of peace. Why should we go on in this state of comparative warfare? Why should we excite ourselves by continual Motions made, Amendments proposed, and prolonged discussion? Why should not the right hon. Gentleman get up and move that this Bill be reported on Thursday? It is a foregone conclusion. It is the result of a bargain made with hon. Members opposite. They have been "squared"; both sections of the Nationalist Party are now prepared to vote for the Government.

MR. PARKER SMITH (Lanark, Partick): I wish, Sir, to call your attention to the disorderly conduct of the hon. Member for the Shipley Division of Yorkshire, who called out to my right hon. Friend—"How much will it take to square you?"

THE CHAIRMAN: I ask the hon. Member whether he used that expression?

\*MR. BYLES (York, W.R., Shipley): I did, Sir.

THE CHAIRMAN: Then I must say that it is an expression which ought not to have been used, and the hon. Member ought to withdraw it at once and apologise.

\*MR. BYLES: Do I understand you to ask me to withdraw the words?

THE CHAIRMAN: The hon. Member ought to withdraw the words and apologise for having used them. I am sure that the hon. Member, on reflection, will do that at once.

\*MR. BYLES: It is not for the first or second time that the right hon. Gentleman the Member for West Birmingham has insulted my friends opposite. If the right hon. Gentleman will withdraw his imputations against them I will withdraw mine.

THE CHAIRMAN: As I understood the right hon. Gentleman it was this: that in Debate he made a general statement, using the word in a somewhat different sense. I have now to call upon the hon. Member to withdraw, and to draw his attention to the fact that the expression ought not to have been used in this House towards a Member. I therefore think that the hon. Member ought to be called upon at once to withdraw it.

\*MR. BYLES: I used the word precisely in the same sense as the right hon. Gentleman.

MR. W. E. GLADSTONE: I do not know whether I am in full possession of the facts, because it is difficult to hear exactly what took place; but I understand that my right hon. Friend the Member for West Birmingham has spoken of the Irish Nationalist Members as having been "squared." Upon that I understood the hon. Member to say—"Would it take much—"*[Cries of "No, no!" and "How much?"]*—I rather imagine you, Sir, like myself, were not able to hear without the aid of explanation. I do not think such language ought to be used, and it appears to me that it would be greatly to the advantage of the House if both hon. Gentlemen would withdraw.

THE CHAIRMAN: I am much obliged to the right hon. Gentleman for his interposition. There is so much noise in the House that I did not exactly hear what the hon. Member said. I heard merely the statement of it as it was repeated to me. If I had understood the right hon. Gentleman the Member for West Birmingham to have used the words he did of the Irish Members in the sense I understood the hon. Member for Shipley to have used them, I should have requested him to withdraw them. The hon. Member for Shipley, as I understand him, says that he only used the words in the sense in which the right hon. Gentleman the Member for West Birmingham used them. I can only say I did not so understand him, and that I was mistaken. If so, I think the incident might be allowed to drop.

MR. MACARTNEY (Antrim, S.): I wish to ask you, Sir, on a point of Order, for our future guidance in these Debates, whether, when an expression used by an hon. Member is ruled to be an improper expression, and you have called upon him to withdraw it, it is then in the power of that hon. Member to rise in his place and to decline to withdraw the words you have ruled out of Order, and to remain absolutely scot free?

THE CHAIRMAN: I beg to say that rising to Order unnecessarily is in itself disorderly. I will explain again that I misunderstood the sense in which the hon. Member used the words.

MR. J. CHAMBERLAIN: I am exceedingly sorry, Sir, that my hon.

Friend below me should have taken any notice of the hon. Member for Shipley. I really do not think he is worth it. What I was saying was that the Irish Members had been squared, and I said so in the usual meaning of the word when it is used by important persons in this House to indicate that an arrangement has been come to or a bargain made; and it never entered my head, I am sure, in using that language, to suggest anything in the nature of a mercenary or pecuniary motive. Of course, the intentional offence of what was said by the hon. Member for Shipley was in the language he used—"How much would it take to square you?" I do not object to answer the question, and to say that it would take a great deal more than the hon. Member for Shipley would ever be able to pay. I had nearly come to the end of my observations, and all I have to say is that, of course, if the Government maintain their present policy the result will be a foregone conclusion, and I think we might save ourselves the trouble of continuing these discussions for weeks, and it may be for months, if the Government would at once have the courage of their opinions, and, if they are determined to carry Home Rule through the House of Commons without discussion, they would say so, and let us get on to something else.

Question put.

The Committee divided:—Ayes 265; Noes 307.—(Division List, No. 71.)

MR. A. J. BALFOUR: Mr. Mellor, especially now that the majority of the Government is reduced below its normal number, and after the evidence we have had of the peculiar importance that the Prime Minister attaches to these accidents of Parliamentary majorities, I suppose the Government will have no objection to accede to the Motion I now beg to make—namely, that you do now leave the Chair. They must, I suppose, by this time have convinced themselves that probably the procedure which they have adopted, whatever merit it may have, has not the merit of conducing to the calm and expeditious conduct of Public Business, and perhaps the Chief Secretary now regrets he did not allow the Solicitor General to make the speech he desired to make. But, Sir, I really do not desire to again bring back the House of Commons to that

condition of heat to which the behaviour of the Government reduced it a few moments ago. I would only most respectfully suggest to those who have the conduct of business on the Treasury Bench that they ought to draw a most salutary lesson from the proceedings of this evening, and that they should allow us, on future occasions, to discuss matters of first-rate importance for more than three and a-half hours. I hope the Government will make no resistance to the demand I now make. I shall not extend my observations on the point, but shall content myself with moving that you, Sir, do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. A. J. Balfour.*)

**MR. W. E. GLADSTONE:** We resist the Motion, Sir.

Question put.

The Committee divided :—Ayes 257 ; Noes 304.—(Division List, No. 72.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again To-morrow.

#### SUPPLY.—REPORT.

Resolutions [5th May] reported.

#### CIVIL SERVICES AND REVENUE DEPARTMENTS (ESTIMATES).

##### CLASS I.

##### Resolution 1.

"That a sum, not exceeding £31,745, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for Expenditure in respect of Royal Palaces and Marlborough House."

\***MR. A. C. MORTON** (Peterborough) said, there were a number of Palaces and houses not occupied by Her Majesty at Hampton Court and other places, but occupied by various persons ; and he would like to ask the First Commissioner of Works whether he did not think it right that as those persons had the places rent free—and, so far as he knew, rates and taxes free—should not keep them in repair ? He would also like to ask the right hon. Gentleman whether Buckingham Palace grounds could not be thrown open to the public at certain times of the year ? He understood that they were not used at

present, except for a garden party now and then, which might occur once in 10 years.

**THE FIRST COMMISSIONER OF WORKS**(*Mr. SHAW-LEFEVRE*, Bradford, Central) : The rule is that persons who occupy these houses by leave of Her Majesty shall carry out all internal repairs at their own expense, and only the external repairs are charged on the Estimates. With regard to Buckingham Palace grounds, I cannot give an answer offhand.

Resolution agreed to.

##### Resolution 2.

"That a sum, not exceeding £76,064, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for the Royal Parks and Pleasure Gardens."

\***MR. A. C. MORTON** asked the First Commissioner of Works whether Kew Gardens could not be opened to the public, who had to pay for their maintenance, at an earlier hour of the day ?

**MR. SHAW-LEFEVRE:** I have so recently spoken at length on the subject of the opening of Kew Gardens at an earlier hour that I will not occupy the time of the House by repeating what I said. The opening in the early morning will be attended with considerable expense, and will not be of much advantage to the people of London, as very few persons go there before 12 o'clock. It is also open to scientific men and gardeners by special leave of the Director, who are able to examine the plants in a manner which would be impossible when the public is admitted.

Resolution agreed to.

##### Resolution 3.

"That a sum, not exceeding £33,095, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for the Houses of Parliament Buildings."

Resolution agreed to.

##### Resolution 4.

"That a sum, not exceeding £41,200, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for the Extension of the Admiralty Buildings."

\***MR. A. C. MORTON** asked whether the First Commissioner of Works had any further information to give with regard to these Buildings, both as to the increased cost as compared with the original Estimates and the delay in their erection ?

*Mr. A. J. Balfour*

**MR. SHAW-LEFEVRE:** I said on Friday afternoon that a part of the delay in the erection of the Admiralty Building was due to the fact that the Treasury, during the late Government, had for one year refused to vote any money for it. My statement was denied both by the right hon. Gentleman who was then Secretary to the Treasury and by the late First Commissioner. I have since examined the records in the Office of Works, and find that I am fully justified in what I said. It appears that in January, 1889, the Office of Works found itself in a position to expend £30,000 in the coming year, 1889-90, on the foundation of the building, and asked the Treasury to insert an item in the Estimates on this account. The Treasury, in the first instance, agreed to an Estimate for £25,000; but later, at the last moment, a few days before the Estimates were presented to Parliament, they reduced the item to £500. This practically caused a delay of one year in the work. Incidentally it was the cause of a further delay of 12 months, for when, years later, the Office of Works was in a position to invite tenders for the main building, it was deterred, and properly deterred, from doing so for another year by the prevalence of strikes in the building trade. Thus the action of the Treasury in 1889 practically caused a delay of years in the completion of the building. With reference to the cost, I have nothing to add to what I said on Friday last.

\***MR. PLUNKET** (Dublin University) said, he had not had an opportunity of referring to the Correspondence; but his strong recollection was that, although there was a reduction in one year, that did not cause any serious delay.

**MR. SHAW-LEFEVRE:** I can only adhere to the statement I have made.

Resolution agreed to.

#### BURGH POLICE (SCOTLAND) ACT (1892) AMENDMENT BILL.—(No. 322.)

##### COMMITTEE.

Considered in Committee, and reported, without Amendment.

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): I now ask that the Bill be read a third time.

**MR. BARTLEY** (Islington, N.) said, that after what had happened that evening it ought to be noticed that the Bill had been allowed to go through without a word of opposition.

Bill read the third time, and passed.

#### RAILWAY RATES AND CHARGES.

**MR. MUNDELLA:** I beg to move—

"That a Select Committee be appointed to inquire into the manner in which the Railway Companies have exercised the powers conferred upon them by the Railway Rates and Charges Order Confirmation Acts, 1891 and 1892, and to consider whether it is desirable to adopt any other than the existing means of settling differences arising between the companies and the public with respect to the rates and conditions of charge for the conveyance of goods, and to report what means they recommend."

\***COLONEL HOWARD VINCENT** (Sheffield, Central) pointed out that there were no Representatives of Manchester, Sheffield, Liverpool, or Glasgow on the Committee.

**MR. MUNDELLA** hoped the hon. Gentleman would not object. The Motion only asked for a reference to a Committee, and the names could then be finally selected from different sides of the House. The nomination of Members would rest with the House.

**SIR MICHAEL HICKS-BEACH** (Bristol, W.) asked, if the Reference to Committee were voted now, would it be possible to take the names after 12 o'clock, or would any opposition stop it?

\***MR. SPEAKER** said that each name could be submitted separately, and a vote taken on each.

**SIR M. HICKS-BEACH** said, it was very advisable the Committee should be nominated; and if the Reference were agreed to that night, would the right hon. Gentleman place the names as the first Order on Thursday?

**MR. MUNDELLA** assented.

**MR. T. M. HEALY** (Louth, N.) was strongly of opinion that a separate Committee was necessary to consider the case of the Irish railways. Ireland had suffered very much from these railway rates, and no place had suffered more from it than Belfast. For the present he guarded himself from accepting the present Reference.

**MR. MUNDELLA** expressed the opinion that the hon. Gentleman would make a great mistake if he separated the Irish from the English question, because

the Committee would inquire into the rates as they affected both England, Ireland, and Scotland; and Members representing the three countries would be on the Committee.

MR. BARTLEY said, as the matter was so contentious he must object to the Motion being taken at that hour.

Motion deferred.

#### PIER AND HARBOUR PROVISIONAL ORDERS (NO. 3) BILL.

On Motion of Mr. Burt, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Bognor, Fowey, and Sheerness, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 342.]

#### LOCAL GOVERNMENT PROVISIONAL ORDER (POOR LAW) BILL.

On Motion of Sir Walter Foster, Bill to confirm an Order of the Local Government Board under the provisions of "The Divided Parishes and Poor Law Amendment Act, 1876," as amended and extended by "The Poor Law Act, 1879," relating to the parishes of St. James, Clerkenwell, and Hornsey including Highgate, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 343.]

#### MESSAGE TO THE LORDS.

Ordered, That a Message be sent to the Lords to request that their Lordships will be pleased to give leave to the Clerk of the Parliaments to attend to be examined as a Witness before the Committee of Public Accounts.—(Mr. Wodehouse.)

#### MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to amend the Law relating to the avoidance of Voluntary Conveyances." [Voluntary Conveyances Bill [Lords.]]

They have agreed to Local Authorities Loans (Scotland) Act (1891) Amendment Bill; Suffolk County Council Committee (Borrowing Powers) Bill, without Amendment.

Police Disabilities Removal Bill, with Amendments.

Canal Rates, Tolls, and Charges Provisional Order Bills,—That they concur with the Commons in their Resolution,

Mr. Mundella

"That all Bills of the present Session to confirm Provisional Orders made by the Board of Trade, under 'The Railway and Canal Traffic Act, 1888,' containing the Classification of Merchandise Traffic and the Schedule of Maximum Rates, Tolls, and Charges applicable thereto, be referred to a Joint Committee of Lords and Commons," as desired by this House."

#### SELECTION (STANDING COMMITTEES).

SIR JOHN MOWBRAY reported from the Committee of Selection; That they had discharged the following Member from the Standing Committee on Law, and Courts of Justice, and Legal Procedure:—Sir Walter Foster; and had appointed in substitution: Mr. Burt.

SIR JOHN MOWBRAY further reported from the Committee; That they had added to the Standing Committee on Law, and Courts of Justice, and Legal Procedure the following Fifteen Members, in respect of the Employers' Liability Bill:—Mr. William Allan, Mr. Baird, Mr. Gerald Balfour, Mr. Bousfield, Mr. Crean, Mr. Forwood, Sir John Gorst, Sir Edward Hill, Mr. Hingley, Mr. Hunter, Sir Thomas Lea, Mr. Shepherd Little, Mr. Walter M'Laren, Mr. Henry J. Wilson, and Mr. Woods.

Report to lie upon the Table.

#### DUCHY OF CORNWALL BILL.—(No. 312.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again To-morrow.

#### VEHICLES' LIGHTS BILL (No. 70.)

Order for Second Reading read, and discharged.

Bill withdrawn.

Leave given to present another Bill instead thereof.

#### PLACES OF WORSHIP (SITES) BILL. (No. 324.)

As amended (by the Standing Committee), considered.

A Clause (Minerals to remain property of vendor).—(Mr. Griffith-Boscawen).—brought up, and read the first and second time, and added.

Bill read the third time, and passed.

House adjourned at twenty minutes before One o'clock.

## HOUSE OF LORDS,

*Tuesday, 9th May 1893.*EXECUTIVE AND JUDICIAL FUNCTIONS  
IN INDIA.

## EXPLANATION.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): My Lords, before the House proceeds with the Notices and Orders of the Day, I wish to make a short explanation. Yesterday, in answer to Lord Stanley of Alderley, I made some observations a portion of which, no doubt owing to my not having been sufficiently distinct, were not quite correctly reported. What I am reported to have said is, I

"in no way admitted that Sir Richard Garth was justified in saying that it was agreed on all hands that it was contrary to right and just principles that civil and judicial powers should be united in one person."

I should be extremely sorry if it should go out to India that that is an expression of my opinion upon that important point, and the more so because I agree entirely with Sir Richard Garth that it is highly undesirable that the judicial and executive powers should be united in one person. But what I did say was that, in reference to a quotation which Lord Stanley of Alderley made from some speech or writing of Sir Richard Garth—

"I could in no way admit that the union of those two powers was maintained in India for the purpose of enhancing the prestige of the officers of the Indian Government."

I observe, also, that I am reported to have stated that the regrettable occurrence itself was a small matter. What I meant to say, and what I believe I said, was that "it was a local matter," and not a small matter at all.

RAILWAY SERVANTS (HOURS OF  
LABOUR) BILL.—(No. 73.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\*LORD PLAYFAIR, in moving the Second Reading, said, this was a very important Bill, involving vast interests,

VOL. XII. [FOURTH SERIES.]

both in regard to capital and to the hours of large numbers of servants on railways. The Bill had passed the House of Commons, and it was the outcome of prolonged attention by both Houses of Parliament to the subject of overwork on railways. This overwork did not always arise from employers exacting overtime and overwork; but it frequently arose from the fact that the servants themselves desired to make more wages by working overtime. A Bill on the subject was introduced by Mr. Channing in the other House in 1886. The question of overwork was considered by the House of Lords in 1888, when Lord De La Warr brought before the House the amount of overwork alleged to exist on railways and the oppression of railway servants. On August 8, 1888, their Lordships made an Order for a Return of all cases on railways where men worked for 12 hours, and in which they had not eight hours' consecutive rest. This was a voluminous Return, and it excited considerable public attention. It had been followed up by subsequent Returns in the other House, to which their Lordships' attention need not be directed. Their Lordships would recollect that two or three years ago there was a great railway strike in Scotland. During that strike very flagrant cases were alleged of overwork, and it was admitted to exist under certain circumstances. In 1891 the House of Commons appointed a Select Committee to inquire into the whole case. That Committee was presided over by a statesman of calm and judicial temperament—Sir Michael Hicks-Beach. It sat for two years, and it made its Report in 1892. The terms of the Report were moderate. The Committee said that a general charge of systematic overwork could certainly not be maintained against all railways, and that certain Railway Companies had recently, since their attention had been called to the subject, rectified the overwork on their lines; but they added—

"There are still too many cases in which excessive hours are habitually worked without adequate reason, and that no sufficient effort has been made by the companies generally to deal earnestly and thoroughly with this matter."

The Committee, through mistaking the extent of the Reference the House of

Commons had made to them, limited their attention to two classes of servants. The first class were the servants at fixed posts of duty, such as signalmen, shunters, platelayers, and porters; and the second class were the moving staff, such as drivers, firemen, and guards. The Committee soon found that it was impossible in the case of railways to establish a fixed working day of eight hours over all railways and for all classes of railway servants. In factories labour begins and ends with the ringing of a bell at fixed hours. On railways the state of labour could never be absolutely determined in point of time. Accidents, storms, snow, and fog disturbed the working of railways, so that it was impossible to fix an hour at which labour should end. To give an illustration from the evidence before the Committee. In December, 1891, a thick fog lasted for four days over the whole country. The North-Western line got blocked at Crewe Station, and had the railway labour ended at a fixed time, after eight hours' work, 200 trained men would have been required there to cope with the blocking of trains which ensued, and those 200 trained men would not have been required again for the other 361 days in the year. The Unions, in fact, scarcely pressed for a fixed number of hours of labour with any earnestness, though some of them desired that no railway labour should continue above a certain number of hours in the day. The Committee considered this proposal for a maximum, and they found that the individual exceptions would be so numerous as to prevent the exaction of penalties. They did not find it possible to fix the hours even with respect to special classes of labour, such as the men employed in signal-boxes. There were 15,000 signal-boxes throughout the country, and the intensity of the labour in them constantly varied. In London it was hard labour in some signal-boxes for men to remain on duty four hours; in others six hours were as long a spell as a man could properly endure; while in the case of country stations, where only two or three trains pass a day, eight, 10, and even 12 hours could not be considered hard work. The railways themselves had lately tried to meet this difficulty by classifying the boxes into six, eight, 10, and 12 hours boxes. That, of course, could be done

by the railways; but legislation could not do it, because exceptions might happen requiring men in eight hour boxes to be relieved in six hours. Any attempt, therefore, at fixing the hours by legislation would be exceedingly difficult. Then, as regarded the running staff, the Committee found it was equally impossible to lay down any rigid labour time. There was, it appeared, great room for improvement in this class of work. According to a Parliamentary Return, there were, for example, certain drivers on the Lancashire and Yorkshire Railway who in 1891 worked 16½ hours per day, whereas in 1892 the same drivers only worked 12½ hours, so that the railways themselves had to a considerable extent ameliorated the overwork amongst the drivers and guards. The strain on the attention of drivers, moreover, was just as great in variety as it was in regard to signalmen. For the driver of an express six hours was a hard day's work; but for driving a shuttle-train, taking goods into various stations, eight or even 10 hours was not considered heavy labour. Some foreign countries had tried to grapple with this problem by fixing the hours of work. The French Government had received authority to take the police of the railways into their own hands, and they passed rules stating that no driver should work more than 12 hours in the day, and should get 10 hours' uninterrupted rest. What had been the consequence? The law had been wholly evaded, and the railways paid no attention to the rules of the Government in regard to working time on railways. Switzerland had tried the same plan, though with more success. Switzerland said no drivers or guards should work more than 12 hours with 10 hours' rest. The Federal Authorities had been obliged to make a great many exceptions to this law, but still it had not failed as the French law had failed, and some fair limitation of labour existed according to Swiss law. Their Lordships, however, would recognise that, considering the length of Swiss lines and the volume of traffic, Switzerland was scarcely an example which could be followed in this country, where the conditions were so different. He would proceed to explain to the House the nature of this Bill. The nature of the Bill was that it trusted

very much to the moral force of publicity. Then in regard to the action of the Bill. A class of railway servants might report to the Board of Trade that they were excessively worked, and the Board of Trade was bound to inquire whether the complaint was substantial. If substantial, then the Board of Trade acted, in the first place, like a Board of Conciliation, and they asked the railway to prepare a schedule of time which would bring the hours into reasonable limits. If the railway did so, and carried its schedule into effect, there was an end of the case; but if the railway refused, then the Board of Trade could summon the railway before the Railway Commission, and that tribunal would examine the schedule and say whether it was fair and just. If the Commission was not satisfied with the schedule, it would ask the railway to prepare another schedule and to act according to it; and if the railway still refused, and continued an unreasonable overworking of its servants, the Railway Commission could make an order that proper working time should be observed, and a heavy penalty of £100 per day might be exacted in default. In the working of the measure the Government believed the proceedings would rarely pass the first stage, because that upon the interference of the Board of Trade, the railways would remedy any overwork which had crept into their systems. Her Majesty's Government believed in the moral force of publicity, because, since the matter came before Parliament, there had been a very great amelioration in overwork on the railways of the Kingdom. Most railways had already improved their regulations so much as regarded hours of labour that there was very little left to be desired. They had, at heavy cost, arranged for increased traffic, had organised reliefs, and had taken especial care to provide comfortable accommodation for the workmen when off duty. Difficulties would not arise on the large and well-organised railways. The difficulty of working the Bill would be on poor and bad-paying lines, but even they would find that the law proposed was not a rigid and inelastic one, and by conference with the Board of Trade they would gain time to improve their system without going before the Court and undergoing penalties. The leading prin-

ciple of the Bill was that the Board of Trade, as representing the Government, did not interfere in any way with the full responsibility of the railway managers. It was entirely left to the railways to carry out the regulation of the traffic and to carry out discipline amongst their employed. The Bill extended to all railway servants in the Kingdom. It was a large order, because the railway servants numbered from 390,000 to 400,000. Of course, a large industry like the railways of this country might be inconvenienced—though there was as little restraint on them as was possible—by an examination of complaint on the part of their servants, but the numbers of the workmen and their grievances in the past entitled them to protection. Under the operative portions of the Bill as much friendly communication between the Board of Trade and the railways as possible, in the first instance, was secured; and it was only when the Railway Companies continued in default that the interference of the Railway Commission was brought in. He begged to move the Second Reading of the Bill.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Playfair*.)

\***LORD BALFOUR** would certainly offer no objection to the Second Reading of the Bill. The noble Lord in charge of the Bill had in the very able and exhaustive explanation he had given to the House fully stated the reasons which had prompted the Board of Trade and the other House of Parliament to take action in this important matter; but as he was at the Board of Trade during all the time that this question was before it, he wished to make a few remarks upon the Bill. In regard to its main features it would, he believed, meet with general acceptance, but there were one or two points in which it went beyond the Report of the Committee of the other House of Parliament and beyond what was generally recognised as necessary by the public. Up to the present time there were two considerations which mainly guided Parliament in interfering with the freedom of adult labour—the one was the health of those employed, and the other that nothing should be done which was contrary to the public interest or the public safety. The noble Lord



had told their Lordships that the Bill did not impose any statutory limitation of time beyond which railway servants should not work. In acting on that principle their Lordships would agree that the promoters of the measures had exercised a wise discretion. He entirely concurred with the noble Lord that the conditions under which railway service was carried on were such that no hard and fast line could be adopted. Railway servants were of more than one class, as the speech of the noble Lord indicated. There were some who were engaged in the working of the traffic, and others who were employed in the factories or workshops, and who had nothing whatever to do with the moving of trains in any capacity. He understood the noble Lord to draw a distinction between the two classes engaged in the moving of trains—the guards and drivers, and the signalmen and porters. This Bill in the very first clause drew such a distinction, because it put the cases of persons engaged in working the traffic in a different category from “any class of railway servants” mentioned in the first two lines of the clause. With regard to the hours of labour of those who were engaged in working the traffic and moving the trains, the public had come very conclusively to the opinion that a case had been made out for legislation. Statistics had been systematically collected for five or six years by the Board of Trade, and since that time a Committee of the House of Commons had been sitting for two Sessions. In their Report it had been conclusively shown that a gradual improvement in the conditions under which railway servants worked had been brought about, partly by the force of public opinion, partly from the action taken by the railway servants themselves, and partly from the more enlightened views of the managers of some of the leading railway lines. In the case of most of the larger lines there was no great cause of complaint, but there were others in a different category, and most people would agree with the Committee that, after all was said and done, a case for legislation had been made out. At the same time, it must not be forgotten that there were great difficulties in regularly managing the traffic of a great railway. As the noble Lord has alluded to fogs, I may confirm his

*Lord Balfour*

reference by saying that, in his evidence before the Committee, the late Sir G. Findlay stated that, even if he had 200 additional men, who would be useless for the rest of the year, during those particular days he would not have been able to do the work at Crewe Station alone with sufficient rapidity and complete efficiency. Then, in addition to difficulties from the elements, railway managers had sometimes exceptional volumes of traffic unexpectedly thrown upon them. In the case of a large cattle market in Ireland, owing to the circumstance that the owners in the early part of the day held over their cattle in order to get better prices, the whole business was done very late in the evening, and the Railway Company had to employ their servants to a very late hour. He did not wish to weary the House, but only desired to point out that statistics without explanation are not always quite reliable. When considering the statistics in conference with some of the officers of the Board of Trade, their attention was directed to an instance on the Brighton and South Coast Railway, in which an engine driver was said to have been employed for 16 or 18 hours. Meeting the manager of the railway soon after, he learnt that what the man had done was to run an excursion train early in the day from London to Brighton, and in the evening from Brighton to London. He had done no other work, but spent the interval between the two journeys—some 10 hours—on the beach. At first sight the report looked very bad, for that driver was, of course, technically on duty all the time, but their Lordships would agree with him that the man was more likely to have had a happy day than otherwise. It was stated in the Report of the Committee that in some cases interfering with the hours would not be agreeable to the men themselves; that the great Railway Servants' Societies did not include all the men, and that it was universally admitted that railway service was extremely popular. Several railway servants protested against interference by the Legislature with their hours of work. On the other hand, it was right that the public safety should be considered, and that, although the men themselves might not be altogether desirous of having their hours of work limited, care should be taken that

those in charge of trains should not be worked such long hours that they could not have their faculties completely about them. He did not know whether any opposition was to be offered to the Bill on the part of the Railway Companies. The noble Lord had stated that no opposition was offered in the Grand Committee by the Railway Directors then present to the inclusion of all their servants, those engaged in factories and works, in the purview of the Bill as well as those engaged in working the traffic. Of course, this was not the stage at which to offer any opposition to that provision, but he would not like to let the Bill go beyond this stage without calling attention to the fact that, so far as regarded those who were employed in factories and workshops and who had nothing to do with the moving of trains, if the Bill were passed in its present shape their Lordships would for the first time be interfering with adult labour without due consideration. The Committee of the other House had sat for two years, and had not taken a particle of evidence with regard to that large class of railway servants; and, in fact, the very first sentences of the Report proved conclusively to his mind that the class alone who were engaged in working the traffic was in the mind of the Committee when they made their Report. The Bill itself contained words showing at the outset that it applied to railway servants connected with working the traffic, and he thought a very simple alteration would limit the Bill to that class and exclude the other large class working in the factories and workshops. He would content himself, however, at this stage of the Bill with calling the attention of the House to the question, and would leave for further consideration the advisability of making the alteration he had suggested. He shared the opinion and belief of the noble Lord in charge of the Bill, that if the Bill became law, as he hoped it might, it would be made operative through the pressure of public opinion, backed up by the Board of Trade, on the Railway Companies. But if it was necessary to have the big stick in the background, it was desirable that that big stick should be made as efficient as

possible. The 4th clause provided that—

“If a Railway Company fail to comply with any order made by the Railway and Canal Commission in pursuance of this section, or to enforce the provisions of any schedule submitted to the Railway and Canal Commission in pursuance of any such order, and approved by that Commission, the company shall be liable to a fine not exceeding £100 for every day during which the default continues.”

Therefore, he desired to call the noble Lord's attention to the point whether, if a company was brought before the Railway and Canal Commission, and was fined for failing to comply with its orders, the Commission had the means of recovering the penalty inflicted, or whether there was any jurisdiction on the part of the Commission to enforce the orders they made. He concurred in the belief that the Bill was likely to prove a very useful measure, and he hoped their Lordships would give it a Second Reading.

LORD COLVILLE OF CULROSS, having been for many years much interested in and mixed up with railway matters, had only to express the hope that their Lordships would assent to the Second Reading, and he believed the opinion of most persons connected with railway management was in favour of the measure. Whilst admitting the distinction drawn by the noble Lord who had just spoken between the two classes of railway servants, he hoped that no alteration would be made in the Bill to necessitate its being sent back to the other House, and endanger its becoming law.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House.

#### FOREIGN AND COLONIAL IMPORTS.

THE EARL OF KIMBERLEY, in the absence of Lord RIBBLESDALE moved—

“That a Select Committee be appointed to consider and report whether legislation for the purpose of requiring the foreign or colonial origin of imported agricultural and horticultural produce—and especially meat, cheese, and fruit—to be marked thereon or otherwise indicated, was necessary, expedient, and feasible; and, if so, what were the provisions which such legislation should comprise; and that the Lords following be named of the Committee:—

E. Winchilsea and Nottingham.	L. Wigan. ( <i>E. Crawford and Balcarres.</i> )
E. Stanhope.	L. Belper.
E. Onslow.	L. Lawrence.
L. Carrington.	L. Wimborne.
( <i>L. Chamberlain.</i> )	L. Rothschild.
L. Vernon.	L. Monkswell.
L. Ribblesdale.	L. Mount Stephen.

Their Lordships would remember that a promise to move for this Committee was given when Lord Onslow recently moved upon the subject.

THE DUKE OF ST. ALBANS asked whether it would be possible to include in the Instructions to the Committee an inquiry into the adulteration of foreign produce imported into this country? He would also like to know why butter was excluded from this Committee? As regarded adulteration, a grievance had been expressed by small shopkeepers summoned under the Food and Drugs Act for selling adulterated butter, cheese, and other produce. In their defence they referred the Magistrates to the wholesale dealers, who in turn referred to the foreign importer, against whom there was no remedy. In fact, under the Food and Drugs Act this adulterated foreign produce did not come before the Inspectors until it was exposed for public sale. He would be glad to know from the noble Earl whether this question of the adulteration of imported foreign food could be included? If not, he would place on the Paper a question on the subject.

THE EARL OF KIMBERLEY: I had no notice of this question, but I can answer it at once. We shall not be able to include the question of food adulteration in the Instructions to the Committee. The Committee is to be appointed to deal with a particular point, and adulteration is altogether a separate question. It is an important one, no doubt; but it would be undesirable to weight the Committee with a wholly different subject from that which it was appointed to investigate. With regard to butter, that matter was dealt with very fully, as the noble Duke will remember, in connection with margarine, and the Government did not think another inquiry into the subject at the present time was necessary.

THE EARL OF ONSLOW understood that the marking of foreign and colonial butter would not be excluded from the consideration of the Committee.

*The Earl of Kimberley*

THE EARL OF KIMBERLEY: No. I thought the question had reference rather to margarine; but, of course, butter will come in with the other produce. The question was with regard to the adulteration of butter, and I do not think an inquiry into that by this Committee is necessary.

Motion agreed to.

THE EARL OF KIMBERLEY: I beg to move that the name of Lord Melville be substituted for that of Lord Lawrence on the Committee.

Motion, as amended, agreed to.

The Committee to meet on Tuesday next, at half-past Three o'clock, and to appoint their own Chairman.

#### DAY INDUSTRIAL SCHOOLS (SCOTLAND) BILL [H.L.]—(No. 41.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 91.)

#### LAW OF DISTRESS (IRELAND) BILL. (No. 42.)

Reported from the Standing Committee with Amendments: The Report of the Amendments made in Committee of the Whole House and of the Amendments made by the Standing Committee to be received on Friday next; and Bill to be printed as amended. (No. 92.)

#### RIVERS POLLUTION PREVENTION BILL [H.L.]—(No. 64.)

Reported from the Standing Committee with Amendments: The Report thereof to be received on Friday next; and Bill to be printed as amended. (No. 93.)

#### EDUCATION PROVISIONAL ORDER CONFIRMATION (LONDON) BILL [H.L.]

A Bill to confirm a Provisional Order made by the Education Department under the Elementary Education Act, 1870, to enable the School Board for London to put in force the Lands Clauses Acts—Was presented by the Lord President (*E. Kimberley*); read 1<sup>st</sup>; to be printed, and referred to the Examiners. (No. 94.)

#### BURGH POLICE (SCOTLAND) ACT (1892) AMENDMENT BILL.

Brought from the Commons; read 1<sup>st</sup>; to be printed; and to be read 2<sup>nd</sup> on Friday next.—(*The Lord Playfair.*) (No. 95.)

**PLACES OF WORSHIP (SITES) BILL.**

Brought from the Commons; read 1<sup>a</sup>, and to be printed. (No. 96.)

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 77.)****PILOTAGE PROVISIONAL ORDERS BILL.—(No. 75).**

Read 2<sup>a</sup> (according to order), and committed to a Committee of the Whole House on Friday next.

**CUSTOMS AND INLAND REVENUE BILL.**

Read 2<sup>a</sup> (according to order); Committee negatived; Standing Order No. XXXIX. considered (according to order) and dispensed with; Bill read 3<sup>a</sup>, and passed.

**MUNICIPAL CORPORATION ACT (1882) AMENDMENT BILL.—(No. 35.)**

Read 3<sup>a</sup> (according to order), with the Amendments; further Amendments made; Bill passed, and returned to the Commons.

**REFORMATORY SCHOOLS (SCOTLAND) BILL.—(No. 29.)**

Read 3<sup>a</sup> (according to order), with the Amendments, and passed, and returned to the Commons.

House adjourned at twenty-five minutes past Six o'clock, to Friday next, a quarter past Ten o'clock.

**HOUSE OF COMMONS,**

*Tuesday, 9th May 1893.*

**PRIVATE BUSINESS.****LONDON AND SOUTH WESTERN RAILWAY BILL (by Order).****THIRD READING.**

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

\***MR. WEIR** (Ross and Cromarty) said, he could not allow this Bill to pass without a protest against the treatment

Scotland had received at the hands of the President of the Board of Trade and his Colleagues, in having arranged for only one Representative for Scotland on the Railway Rates and Charges Committee. He regretted that none of the nine Members who represented Scotland, on the Treasury Bench, were in their places. Those gentlemen were sent to the House to represent Scotch as well as Imperial interests, and he would appeal to them to see that Scotland was fairly treated in this matter.

\***MR. A. C. MORTON** (Peterborough) said, he agreed with the hon. Member that something ought to be done with regard to this Committee.

\***MR. SPEAKER**: It is irregular to discuss the composition of a Committee which has not yet been struck, on the Third Reading of a Railway Bill. If the hon. Member has any objection to the Committee he should raise it when the question of the nomination of the Members comes on for discussion.

\***MR. A. C. MORTON** apologised for having been out of Order. He wished to say, however, that he had warned the London and South Western Railway Company that if they did not take steps to give their third-class passengers better accommodation he should have to oppose their Bills on the Third Reading. Great complaints were made of overcrowding through insufficiency in the supply of carriages; and though the Board of Trade was appealed to, they were told that that Department could do nothing in the matter. The Government were able to prevent overcrowding in omnibuses and tramcars; and it was, therefore, strange that they could do nothing to benefit third-class railway passengers in the same direction. The Railway Companies enjoyed a great monopoly; they were able to drive away all sorts of competition, the people being obliged to use the trains provided as best they could. The balance sheets of the Companies showed that they made their profits out of the third-class passengers—that the third-class really had to pay for the superior accommodation provided for the first and second-class passengers—therefore he thought that these travellers ought to receive more consideration. He had to complain, also, of first-class carriages or compartments being reserved

—it was suggested in some cases for gambling purposes; also that the lavatory accommodation (especially for third-class passengers) and the warming of carriages in the winter were deficient. He did not propose to proceed to extremities to-day, as the Manager of the Railway, Mr. Scotter, had written him a letter which showed that the Company were prepared to endeavour to overcome the deficiencies complained of, still the time might come when it would be necessary to set an example by throwing out one of these Railway Bills. He did not say that the London and South Western Railway was the worst. There were others on the south side of the Thames which gave more cause for complaint. The railways on the north side paid a great deal of attention to the accommodation of third-class passengers, and he wished the Southern Companies would follow that example. In his letter Mr. Scotter had expressed himself astonished to hear that the accommodation in the third-class carriages was complained of, as the Company had lately considerably added to their stock of these carriages, all of them being of the latest kind. He added that he was at a loss to understand the complaints, but that if particulars were furnished him he would take care that they should be investigated, and that the matter should be put right. For the present he (Mr. Morton) proposed to rely on that statement, and to trust to the Company to do what was fair and right towards the third-class passengers. In any case, he trusted the House would see that justice was done, especially to the industrial classes of the country and the people who were compelled to use third-class railway carriages.

SIR J. KENNAWAY (Devon, Honiton) thought that the London and South Western Company was endeavouring to do its duty towards its third-class passengers, and he had received the assurance of the Company that attention was being paid to the matter.

Motion agreed to.

Bill read the third time, and passed.

LONDON COUNTY COUNCIL (GENERAL POWERS) BILL (*by Order*).

THIRD READING.

Order for Third Reading read.

*Mr. A. C. Morton*

Motion made, and Question proposed, "That the Bill be now read the third time."

\*MR. KIMBER (Wandsworth) said, the only portion of the Bill with which he had reason to find fault was Clause 15. Under that clause the London Vice County Council would have the power to expend £10,000 per year upon any matter which they pleased, without specifying beforehand what it was. From China to Peru, they could select subjects for investigation and inquiry, and spend the money of the ratepayers in pursuing those subjects. As an illustration of the truth of this statement, he would quote an answer he had received from the Vice-Chairman of the London County Council. Asked if under the Bill it would not be possible to organise a special expedition to China or India, Mr. Dickinson replied—"I think we might very reasonably inquire into the Municipal Government of some of their larger cities." Well, if that was to be the ground on which the London County Council were to spend the money of the ratepayers in London, it was time Parliament came to an understanding with the London County Council on the subject. He had always been under the impression that the London County Council was an administrative body created by Parliament for the express purpose of fulfilling certain duties prescribed and limited by Parliament, and spending the money of the public in specific methods and on specific objects; but that did not appear to be the idea of the County Council. He thought it right that the House should now express its opinion as to whether Parliament or the County Council were right in theory. Clause 15 would have the effect of repealing a certain section in the Acts of 1890, 1891, and 1892, under which the County Council possessed the power to spend sums of money amounting to £16,000 on certain specific objects—namely, £15,000 on inquiry into the water supply of London, and £1,000 on inquiry respecting markets. The County Council did not wish to be limited in the subjects to which they could devote this, and they said, practically—"The whole world is a subject for investigation to us; the qualification of Members of Parliament, even, is not beyond our ken, or the relations of different parts of the

City one to another, or the relations of one part of the Kingdom to another." Originally the County Council asked for power to spend any sum they chose; but the amount had been limited by the Select Committee. Against that Committee he had nothing to say, except that he did not think it convenient that Members of the London County Council should be upon it. He could not agree to those gentlemen being upon a tribunal sitting to try their own cause. The Committee had had before them a Report from the President of the Local Government Board objecting to the powers asked for by the County Council, and another from the Home Secretary. The Secretary of State, reporting on Clause 15, had said he thought the proposal too wide, and suggested that the inquiries should only extend to subjects coming within the scope of the statutory powers and duties of the London County Council. That was a statesmanlike view of the matter, and that was all that he (Mr. Kimber) asked should be done. The power of spending money *ad libitum* was one which the House hitherto had not delegated to Public Bodies; and if this Bill were carried in its present form other County Councils throughout the Kingdom would endeavour to obtain similar powers. He thought Clause 15 should be referred back, with instructions that they should either insert words in it suggested by the Secretary of State limiting the subsidy to some of the subjects which were at present under the charge of the County Council by virtue of the Statutes already passed, or specifying other subjects which might be included. He wished to guard himself from imputing unworthy motives to any gentlemen on the London County Council; but he submitted that the powers contained in the Bill were such as had never yet been delegated to any Municipal Body in the country. No doubt £10,000 spread over the ratepayers of the County of London was a small matter; but he held that it would be in the highest degree impolitic to set this example to Provincial Municipalities. He begged to move the Amendment standing in his name.

Amendment proposed, to leave out the words "now read the third time," in order to add the words "recommitted to the former Committee."—(Mr. Kimber.)

Question proposed, "That the words 'now read the third time' stand part of the Question."

MR. J. ROWLANDS (Finsbury, E.) was astonished that the hon. Member for Wandsworth had not told the House what was the opinion of the Committee which had sat upon the Bill with regard to Clause 15. Clause 15 was in the Bill, and the County Council had given evidence as to why they wanted power for investigating into matters that they considered of importance. They explained that at the present time the County Council had not power to spend money on small books dealing with public questions in which they were interested. The Committee had gone into the question as to whether the London County Council should be allowed to spend a certain sum of money as they wished, and also as to whether they should require the County Council to draw up a list of subjects of expenditure for them to inquire into. The Committee thought it better to fix upon £10,000 as the sum which the County Council might spend annually, but which they might not exceed. If the House tried to specify the objects on which this money might be spent, it would probably be undertaking a task in which it was doomed to failure. The Chairman of the Committee was the late Under Secretary of State for the Home Department (Mr. Stuart-Wortley). Eight Members of the Committee were in favour of what the Committee had recommended to the House, and the only objection which was raised was by the hon. Member for Wandsworth; but even he did not challenge a Division. The hon. Member had a right to challenge a Division, but he contented himself with his own protest. The Committee had very carefully considered the matter, and he hoped the House would confirm its decision.

\*SIR J. LUBBOCK (London University) said, he considered that the power would lead to economy, not extravagance. He should be very much surprised if the London County Council spent the whole of the money which it was now proposed to vote. They did not contemplate doing anything of the kind. It was, of course, impossible to tell exactly what subject might require

investigation, or the expenses of any particular inquiry would amount to. The power was already possessed by other Municipalities, and he was not aware that it had ever been abused. He hoped that the House would support the practically unanimous decision of the Committee.

MR. KIMBER said, that, as the House would have to deal with this question on a future occasion, he did not now propose to take a Division.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read the third time, and passed.

### QUESTIONS.

#### THE IMPROVEMENT OF IRISH HARBOURS.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Secretary to the Treasury, in view of the fact that previous to the passing of the Act 46 & 47 Vic. c. 26, in 1883, which granted a sum of £250,000 out of the Irish Church Fund, for the improvement of harbours in Ireland, the Treasury were in the habit of granting, for many years, sums varying from £3,000 to £5,000 a year, for similar purposes in Ireland, and that since the passing of that Act such grants have been suspended; and whether, considering the great want in many places in Ireland for proper accommodation for poor fishermen, such grants will now be renewed by the Treasury?

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The suspension of the grants referred to by the hon. Member began in 1875, but they did not disappear from the Estimates till the year 1885-6. I may explain that, under Section 7 of the Sea Fisheries Act, 1883, repayments in respect of loans advanced under that Act may be applied by the Board of Works for the purposes of the Act, though the balance at present available is already allocated to works in progress. I am not aware of any intention to renew grants under the older Acts.

MR. FIELD: Is there no fund in existence from which grants can be made for the purposes set forth in the last paragraph of the question?

*Sir J. Lubbock*

SIR J. T. HIBBERT: There is no fund out of which we can make grants until there is an available balance arising from repayments under the Act of 1883. It will then be possible to apply such balance.

MR. FIELD: And when will it be available?

SIR J. T. HIBBERT: I cannot say; but I believe it is allocated for some time.

#### PORTMAHOMACK HARBOUR.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary for Scotland if he will provide the Scottish Office or the Scottish Fishery Board with sufficient funds to meet the cost of putting the harbour at Portmahomack in such a condition that the fishermen may be able to enter the harbour with their boats at all states of the tide, and thus obviate the decline of this important fishing town?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): In reply to the hon. Member, Portmahomack is a village of about 300 inhabitants, possessing about 25 boats, at the entrance to the Dornoch Firth, in the County of Ross. The County Council have submitted the names of 25 places, where piers, harbours, or boat-slips might be made to advantage. Portmahomack is not in that list. Up to now it has only been possible to entertain 10 out of the 25 sites mentioned. I have received a Petition from the Harbour Committee for better accommodation; but as the County Council have taken no measures for bringing forward the claims of Portmahomack, the Scottish Office does not propose to undertake any work there just now.

MR. CAINE (Bradford, E.): Is the right hon. Gentleman aware that the entire population of this important fishing town was, according to the last Census, 458?

SIR G. TREVELYAN: Yes; I think it was about that; but it is not in itself a sufficient reason for refusing the grant. It has 25 boats.

\*MR. WEIR: Because of the imperfect and dangerous condition of the harbour many of the fishermen have had to use other harbours, which could be entered with safety at all states of the tide.

## SWINE FEVER.

MR. DODD (Essex, Maldon) : I beg to ask the President of the Board of Agriculture whether he is aware that the Report of the recent Departmental Committee on Swine Fever and its recommendations are approved by Members on both sides of this House representing agricultural districts ; and, if so, whether he will at once take steps to bring the recommendations into force ; and whether he will at once propose legislation on the subject ?

MR. FELLOWES (Hunts, Ramsey) : At the same time I will ask the right hon. Gentleman whether he himself proposes to legislate this Session on swine fever on the lines laid down by the Departmental Committee, or whether he will give facilities for the passing of the Swine Fever Bill now before the House ?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden) : In reply to these questions, I may state that I have not yet received the evidence upon which the Report of the Departmental Committee is based ; and it is, therefore, not possible for me to indicate the views of the Government on the subject. I understand, however, that the evidence will be available before the end of next week ; and when this is the case, I will at once give the matter my attentive consideration.

## THE ROYAL IRISH CONSTABULARY.

MR. MAURICE HEALY (Cork) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how long the Royal Irish Constabulary Force Fund has been in existence ; for how many years respectively have deductions at the rates of  $2\frac{1}{2}$  and  $1\frac{1}{2}$  per cent. been made for the purposes of this fund from the pay of members of the Force ; whether deductions in respect of barrack-rent have also been made towards this fund in the case of unmarried members ; why no deduction towards this fund is made in the case of members who joined the Force since August, 1883 ; how many officers and men at present serving are subscribing towards the fund, and how many pensioners ; how many subscribers died, were dismissed, were discharged, and resigned without having received anything from this fund ; what is the total amount sub-

scribed towards this fund, since its formation, by officers and men ; what is the amount at present on hand, and how has the difference been expended ; and whether it was the unanimous wish of the entire force assembled at the various county headquarters (at their meetings regarding the 6th Schedule of the Government of Ireland Bill) that this fund should be wound up at once, and distributed among the subscribing members ?

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne) : The Royal Irish Constabulary Force Fund has existed since the establishment of the Force. Deductions at the rate of  $2\frac{1}{2}$  per cent. were never made for the fund. The rate of deduction was 10s. per cent. for the first 30 years, and subsequently, as at present,  $1\frac{1}{2}$  per cent. The deduction for barrack accommodation, authorised by the Constabulary Act of 1883, is made from the increased pay provided by the Act, and extends also to married men accommodated with their families in barracks. This deduction has always been appropriated in aid of the Constabulary Vote. By the Act of 1883 the benefit branch of the fund was closed against new entrants, and deduction from the pay of all those who thereafter joined the Force was forbidden. The number of officers and men now serving whose pay is subject to the statutable deduction is approximately 8,730, and the number of subscribing pensioners is 3,426. No official record of cessations without benefit has been kept ; but it is right to point out that the object of the fund being twofold—the reward of meritorious members of the Force and the relief of the widows and children of members—no payments of the former kind could, in the nature of the case, be made to men dismissed, discharged, or who resign, or of the latter kind in respect of those who die unmarried in the Force. It would be impossible, I am informed, at this distance of time to furnish an account of the receipts and expenditure of the fund from its institution over 56 years ago. The fund has been audited from the outset of its career by the Exchequer and Audit Department. The invested balance of the fund, amounting to £304,000, is in the hands of the National Debt Commissioners, and there is a current cash balance of about £2,500 in the public account of



the Inspector General. In reference to the question of the winding up of the fund, I understand that many and diverse opinions and suggestions have been expressed by members of the Force, which are inconsistent with the object of the fund as expressed by Act of Parliament, and quite impracticable. I have already stated, in reply to an inquiry addressed to me on April 17, that the only possible winding up appears to be that provided by the Act of 1883—namely, by the natural process of fulfilling its obligations to existing members as they become due.

#### THE MATERIAL AND MORAL PROGRESS OF INDIA.

Mr. NAOROJI (Finsbury, Central): I beg to ask the Under Secretary of State for India whether he is aware that the Annual Report of the Material and Moral Progress of India does not give such statistical and other information and views as are contained in Sir David Barbour's Note, and are necessary to enable the House to form a correct judgment of the progress, if any, of India; and whether, under such circumstances, he will accede to the request to give the Return of Sir David Barbour's Note, and of similar information to date?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): For reasons which I gave on the 27th April, the Secretary of State is unable to lay Sir D. Barbour's Note on the Table, and I am not prepared to make any comparison between its contents and those of the Annual Reports. The Decennial Report is now being prepared, and may, not improbably, give my hon. Friend some of the information which he requires. As to the Statistical Return for which my hon. Friend wishes to move, he is aware that the Secretary of State has asked the Government of India whether they can give it, and is awaiting their reply.

#### THE GARVE AND ULLAPOOL RAILWAY.

Mr. WILLIAM WHITELAW (Perth): I beg to ask the Secretary for Scotland if the Scotch Office is in communication with the Treasury with regard to an application for an annual subsidy towards the making and working of a line of railway from Garve to Ullapool?

*Mr. J. Morley*

SIR G. TREVELYAN: No, Sir; I cannot say that the Departments are in communication on the subject at the present time.

Mr. WHITELAW: Does the Scotch Office intend to recommend the Treasury to grant a subsidy?

SIR G. TREVELYAN: I prefer not to answer that question without notice.

#### LIVERPOOL POST OFFICE.

Mr. WILLOX (Liverpool, Everton): I beg to ask the Postmaster General why, having regard to his statement on the 9th February that a tender for the foundations of the new Post Office at Liverpool had been accepted, and that the work would be shortly commenced, operations have not yet been commenced on the foundations; and whether he will endeavour to accelerate as much as possible the commencement of building operations, in order that employment may be found for some of the men now idle in Liverpool?

THE FIRST COMMISSIONER OF WORKS (Mr. SHAW-LEFEVRE, Bradford, Central): The foundations of the Liverpool new post office would have been begun some weeks ago but for a misunderstanding with the firm whose tender has been accepted in regard to the terms of the proposed contract with them. Until this has been removed, it is not possible to put the works in hand; but the Office of Works is doing all that it can to arrive at a settlement.

#### COAL DUTIES AT CONSTANTINOPLE.

Mr. SCHWANN (Manchester, N.E.): I beg to ask the Under Secretary of State for Foreign Affairs whether the Government is aware that the difficulties put in the way of English and other coal merchants in Constantinople are owing to applications being made to the Turkish Government by a local syndicate to obtain the monopoly of the coal business in that port, and that one of the applications bears the name of Redoan Pasha, Prefect of Constantinople, in whose hands the refusal or acceptance partly rests; and whether Her Majesty's Government will immediately use their influence to prevent this scheme, which would have an oppressive action on English coal merchants at present established at Constantinople, and raise the price of coals materially in that port?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): We do not possess information to this effect, but the statement made by my hon. Friend shall be sent to Her Majesty's Ambassador at Constantinople.

#### THE INDIAN FIELD ARTILLERY.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether the Government of India have for some considerable period been pressing the authorities at home to re-arm the Field Artillery in India, and have provided money to meet this expenditure; and whether the failure to replace the 120 nine-pounder muzzle-loading guns still in India by modern breechloaders is due to delay on the part of the Ordnance Authorities at home or to the Government of India itself?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): I would refer the hon. Member to my reply made on March 27 to the hon. Member for West Belfast, in which I stated that of 347 field guns demanded by the Indian Government 270 had already been shipped to India, 36 more awaited shipment (of which 24 have now been shipped), and of the remaining 41, 38 were well advanced in the Ordnance Factories. Of these, I can now say that 10 have already been issued, 10 are completed and under inspection, 11 have passed proof and will be ready for final inspection shortly, and seven more will be ready by the end of May.

MR. HANBURY: Is the delay due to the Home Authorities or to the Indian Government?

MR. CAMPBELL-BANNERMAN: I cannot say without referring to India. As far as the Home Authorities are concerned, the hon. Member must be aware that during the last three or four years there has been a great demand for heavy guns, both for ships and coaling stations, and that, no doubt, led to some delay in the execution of orders for India.

#### MR. SPENCER BALFOUR.

MR. HANBURY: I beg to ask the Under Secretary of State for Foreign Affairs whether he can yet give any information as to the progress of the negotia-

tions for the surrender of Jabez Spencer Balfour?

SIR E. GREY: No further information has been received since the last question was asked. The Argentine Government have hitherto declined to surrender Balfour in consequence of there being no Extradition Treaty between them and the United Kingdom.

#### CARNARVON EDUCATION SCHEME.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): I beg to ask the Vice President of the Committee of Council on Education whether the scheme under the Welsh Intermediate Education Act for the County of Carnarvon, that has been approved of by the Committee of Council on Education, has been approved of by Her Majesty; and, if not, what is the cause of the delay?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): The Carnarvon County Scheme is awaiting approval at the next meeting of the Privy Council, which will, I understand, be held on the 17th instant. No meeting of the Council has been held since the 9th April, when the period during which the scheme had to be laid before Parliament expired.

#### LONDON UNIVERSITY EXAMINATION.

SIR JOHN LUBBOCK (London University): I beg to ask the First Commissioner of Works whether any steps are being taken to provide the necessary accommodation for the scientific examinations in the University of London?

MR. SHAW-LEFEVRE: The Government has not lost sight of the subject referred to in the question. A portion of the site at Millbank will be reserved for the purpose in connection with the provision of examination rooms for the Civil Service Commissioners; but I am unable to say when the buildings will be commenced.

#### THE ARMENIAN TRIALS.

MR. WEIR: I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the funds collected by Madame Thoumaian in Great Britain were exclusively for the non-political medical hospital open to persons of all creeds at Marsovan, Asia

Minor; whether he is aware that Dr. Herrick, the President of Marsovan College now in London, and other well-known missionaries, testify to the high character of Pastor Thoumaian and Mr. Kujadjian; and if he will state the result, or progress of the trials?

SIR E. GREY: I am aware that the statement in the first paragraph has been made by Madame Thoumaian and is confirmed by the Superintendent of the Mildmay Conference Hall, who has invested the money collected. I have reason to believe that the opinion of Dr. Herrick is correctly stated, and, as soon as information is received, I shall be ready to state the result or progress of the trial.

#### SHANGHAI GAOL.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Under Secretary of State for Foreign Affairs whether he can explain the circumstance of 20 pairs of boots having been supplied to the gaol at Shanghai during the March quarter 1892, at a time when only one prisoner had been detained in the gaol during the quarter, and that one for a period of only three days?

SIR E. GREY: The 20 pairs of boots were ordered to replace a corresponding number which were worn out in 1891. A stock of prisoners' clothing has to be maintained and replenished as the old becomes worn out, and the new supply of any article bears no immediate relation to the number of prisoners charged for in any given quarter.

#### STATIONERY OFFICE CONTRACTS.

MR. GIBSON BOWLES: I beg to ask the Secretary to the Treasury whether, in the year ending 31st March, 1892, there were instances of payments to firms of contractors by the Stationery Office in excess of the amount that these firms could legally claim under the terms of their contract; whether he can state who the contractors were and what were the sums so paid for them; and what steps have been, or will be, taken to prevent the recurrence of this practice?

SIR J. T. HIBBERT: There has been no time to obtain particulars of the payments referred to; but I am assured by the Comptroller of the Stationery Office that every such advance has been

made in accordance with the conditions stated in paragraph 6 of the Fourth Report of the Public Accounts Committee of 1890. The advances have been reported on by the Comptroller and Auditor General in his Report on the Appropriation Accounts for 1891-2, and will come in due course before the Public Accounts Committee; and I think it better, therefore, to defer any statement pending the Committee's Report.

#### ATTACKS ON MR. BINDEN BLOOD.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a third attempt has been made on the life of Mr. Binden Blood, a resident in County Clare; whether he is aware of the grounds of the persistent persecution of Mr. Blood; and whether the names of the would-be assassins are well-known in the neighbourhood of Mr. Blood's residence?

MR. J. MORLEY: This gentleman was fired at on the 5th inst., but fortunately the shots took no effect. This is the third outrage directed against Mr. Blood. In August, 1889, he was fired at under circumstances similar to those in the present case, and in March, 1890, shots were fired into his dwelling. The same motive is assigned in all three cases, and arises out of the eviction of a man who was formerly in Mr. Blood's employment. The identity of the ruffians who instigated these outrages, or who participated in their commission, has been pretty confidently suspected by the police during the past four years; but so far no evidence has been forthcoming which would lead to their conviction.

MR. T. M. HEALY (Louth, N.): Did the late Government hold an inquiry on this matter under the Secret-Inquiry Clauses of the Coercion Act?

MR. J. MORLEY: I cannot answer that question.

MR. CARSON: Does the present Government intend to hold such an inquiry?

MR. J. MORLEY: As no secret inquiry in the County of Clare has ever led to a conviction, I do not see why we should.

## PETITIONS IN LUNATIC ASYLUMS.

**MR. T. M. HEALY** : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has since received any information as to the signing of anti-Home Rule Petitions in the Derry Lunatic Asylum?

**MR. J. MORLEY** : I am informed that no such Petition was prepared in the asylum, but that one was presented by outsiders for signatures to the officers of the institution who wished to sign it. No pressure was put upon any officer to sign.

**MR. T. M. HEALY** : Is anybody allowed to go into an asylum and ask the warders and lunatics to sign Petitions?

[No answer was given.]

## BOYCOTTING IN COUNTY CLARE.

**MR. HORACE PLUNKETT** (Dublin Co., S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a notice has been extensively posted in County Clare, especially between Ennystymon and Ballyvaughan, calling upon the Nationalists of Clare to hold no intercourse with Dan O'Brien of Ballinacarra and Murray, of Loughrea, the notorious grabbers of Ballyheale, lately occupied by The O'Donnellan Blake Forster; and whether any, and if so what, steps have been taken to prevent O'Brien and Murray being boycotted?

**MR. FLYNN** (Cork, N.E.) : Before the right hon. Gentleman answers that question, may I ask him if he is aware that the Chief Secretary in the last Government always declined to give the names of persons alleged to be boycotted on the ground that additional publicity was not in their interests? Is he also aware that Mr. Forster is a Protestant gentleman very popular in the locality?

**MR. J. MORLEY** : I am not able to answer that question. I am informed that it is true a number of printed notices of the nature indicated in the question have been posted in the district mentioned. The police are taking every possible precaution for the safety of O'Brien and Murray, and a protection post has been formed at Ballyheale.

## THE "JOHN LAMBERT" CHARITY AT SHEEPSHED.

**MR. JOHNSON-FERGUSON** (Leicester, Loughborough) : I beg to ask the

hon. Member for Merionethshire whether his attention has been called to the fact that, under the scheme sanctioned by the Charity Commissioners on 7th August, 1883, for the administration of the Charity of John Lambert, in the Parish of Sheepshed, in the County of Leicester, the Trustees are directed, after paying all proper costs of the administration of the Charity, and setting apart an annual sum of £15 as a repair fund, to divide all the net yearly income of the Charity into three equal parts, two such parts to be applied to the advancement of the education of children who are residents in the Parish of Sheepshed, and the remaining part to be applied for the benefit of necessitous persons resident in the Parish of Sheepshed, either by subscriptions in aid of the funds of any hospital, or by contributions towards the cost of the outfit, upon entering upon a trade or occupation, of any person under the age of 21 years; and that in 1892 the net income of this Charity was £67 1s. 3d.; the amount applied in aid of education, £16 7s.; the balance contributed to dispensaries, hospitals, and infirmaries, £11 11s.; the balance of net income, £39 3s. 3d., being unexpended; whether he is aware that, notwithstanding the provisions of the scheme, deserving and necessitous persons, residing in the Parish of Sheepshed, have been unable to obtain recommendations to the Loughborough Dispensary, while there was unapplied income available for the purpose; and that a duly qualified parishioner has been refused by the Trustees an opportunity of examining the scheme of the Charity and the accounts for 1892, although it is provided in the scheme that every parishioner shall be entitled to do so; and whether the Charity Commissioners will take steps to prevent such irregularities in future?

\*THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire) : The statements made in the first question as to the scheme for regulating this Charity are accurate. The trustees assert that there are already more recommendations for the Loughborough Dispensary than there are applicants, and that the scheme and accounts are open to inspection; but in consequence of complaints conveyed by the hon. Member the Commissioners

have written to the trustees, pointing out the necessity of carrying out the scheme in the matter of the production of the scheme and proper publication of the accounts.

#### THE HOME RULE BILL.

**LORD RANDOLPH CHURCHILL** (Paddington, S.): I beg to ask the First Lord of the Treasury whether the Treasury has had prepared, and will lay immediately before Parliament, a Paper showing all the successive amounts that will be charged as a first charge on the Irish Consolidated Fund, under the following clauses of the Bill for the Government of Ireland:—(1) under Clauses 14, 15, 16; (2) under the subsections (a), (b), (c) of Clause 26; (3) under Clauses 27 and 28?

**MR. SEXTON** (Kerry, N.): May I ask whether it is not the fact that the charges referred to in the question are chiefly of a prospective, and more particularly of a contingent character?

\***THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): There is an apparent confusion or misprint in the noble Lord's question—in that part relating to subsections (a), (b), and (c), of Clause 26. What my hon. Friend has intimated is substantially correct—that is to say, that there is no such account at all, as far as I am aware, at the Treasury. The Treasury could give a list of the charges without the amounts if the noble Lord desires it; but the amounts are not yet known.

**LORD R. CHURCHILL**: The question is not printed correctly; Clause 26 should be Clause 28. Would it be possible for the House to inform itself as to the estimated Revenues of Ireland unless it is put in possession of all, or at any rate the greater part, of this information? Is the right hon. Gentleman aware that the language of the Bill is most precise as to all the charges, and that the Revenue of Ireland cannot be estimated until the amounts of all the charges which are placed as first charges are known?

\***MR. W. E. GLADSTONE**: The amounts depend on certain proceedings to be taken in the course of the Bill. They are not at present within the knowledge of the Treasury. If it

can be done before we come to the Financial Clauses, I shall be glad to have it done.

**MR. GOSCHEN** (St. George's, Hanover Square): Will the right hon. Gentleman at once cause to be put before us a statement of the amounts as far as they have actually been ascertained, and of the amount of debt which would come under the clause where 4 per cent. is to be paid? That is an amount which is known or ascertainable; and it would assist the deliberations of the Committee if we had before us so much of the charges and liabilities on the Irish Exchequer as are actually known, and if we had also, as soon as possible, an estimate of the charges which would come under this Bill.

**MR. W. E. GLADSTONE**: The right hon. Gentleman had better put that question on the Paper. I can answer it more satisfactorily under those circumstances.

**MR. J. CHAMBERLAIN** (Birmingham, W.): I beg to ask the First Lord of the Treasury whether inquiries have recently been undertaken by the Government as to the true proportion of whisky paying duty and Excise in Ireland, and consumed respectively in Ireland and Great Britain; whether this inquiry has shown that the proportion consumed in Great Britain is much larger than was assumed when the financial arrangements of the Bill for the Government of Ireland were settled; and whether this error will alter materially the amount attributed to Excise in the estimate of an Irish Budget presented to the House; if so, whether he will immediately lay upon the Table of the House a new Return showing the correct amount?

\***MR. W. E. GLADSTONE**: It may be remembered that in 1886 the Government were not able to submit an estimate of the division of Irish Excise receipts between Great Britain and Ireland. But in the present year an attempt had been made to do that, and it had been done upon the basis of the actual figures of 1891-2, and the Budget Estimate for 1892-3. We found on examination, however, that those figures were not quite correctly taken, and a very strict examination in the matter is now going on. But that examination is not yet completed, though it will be shortly; and in due time the figures will be sub-

mitted to the House, so that everything will be quite clear and well understood before the House is called upon to come to a decision.

**MR. J. CHAMBERLAIN :** Has the inquiry proceeded far enough to enable the right hon. Gentleman to state whether the statement in question is correct, and whether the result of the corrections would be to lessen the amount credited to Excise in the Irish Budget?

**MR. W. E. GLADSTONE :** I believe that the amount really due to Great Britain from Excise has been underestimated.

**MR. BRODRICK (Surrey, Guildford) :** May I ask whether the investigation relating to the amounts paid by Ireland in respect of Excise has been extended to the Customs and Stamps and other receipts for the last financial year, and when the result of the investigation will be laid on the Table?

**MR. W. E. GLADSTONE :** The case of the Customs is entirely and absolutely distinct. Stamps involve no serious question of a transfer of revenue.

**MR. GOSCHEN :** The matter is so important that I am sure the right hon. Gentleman will forgive me if I make a further request. Will he undertake to instruct the Treasury to press forward with the corrections of any of the Returns which have been made to us, showing the contributions hitherto made by Ireland and the various percentages? These would vary if it could be shown that the consumption of Irish whisky in England has been larger than has been estimated in past years. That would affect the correctness of the figures hitherto given. Have the Treasury kept their eye on that, so that fresh Returns may be laid upon the Table of the House as soon as possible, showing the real figures in times past?

**MR. W. E. GLADSTONE :** We shall get the actual state of the facts as soon as we can, and all consequential corrections will be duly made. The House will be placed in possession of the facts in the best form and at the earliest period before it is called upon to discuss the Financial Clauses.

**LORD R. CHURCHILL :** I should like to explain to the right hon. Gentleman that I find, on referring to the Bill,

the Sub-sections (a), (b), (c), referred to in my question are in Clause 14, and not Clause 26.

#### SUPPLY.

**MR. BARTLEY (Islington, N.) :** I beg to ask the First Lord of the Treasury whether it will be necessary to take another Vote on Account; and, if so, will it be taken before Whitsuntide?

**MR. W. E. GLADSTONE :** It will not be necessary to take any Vote on Account before Whitsuntide.

#### THE ENGLISH AND SCOTCH REGISTRATION BILLS.

**SIR JOHN KINLOCH (Perth, E.) :** I beg to ask the First Lord of the Treasury whether, in view of the interest taken by the people of Scotland in the Registration of Voters (Scotland) Amendment Bill, the Government intend to take the discussion on Second Reading before Whitsuntide?

**DR. MACGREGOR (Inverness-shire) :** At the same time, I will ask the right hon. Gentleman whether he can give such facilities as will admit of the Scotch Registration Bill being considered and passed into law this Session?

**MR. W. E. GLADSTONE :** The Government look upon the Registration Bills for England and Scotland as united, in being a part of the necessary work of the Session—of the work which we intend to use every effort in our power to get through. I do not think I should be wise, in the present state of business, if I attempted to specify the precise time at which we shall take the Second Reading.

#### MOTION.

##### CHURCH OF SCOTLAND BILL.

##### MOTION FOR LEAVE.

Motion made, and Question proposed,  
“That leave be given to bring in a Bill to put an end to the Establishment of the Church of Scotland, and to deal with the Public Endowments thereof on the occurrence of vacancies.”  
—(*Dr. Cameron.*)

**SIR MARK STEWART (Kirkcudbright) :** I ask leave to oppose the introduction of this Bill. We have had no explanation of the Bill beyond what appears on the Paper. This is a very important Bill, and concerns all parts of Scotland and every inhabitant of Scotland; and, judging from the opinion in

Scotland, as far as I can gather, the people are opposed to such a proposal. I therefore oppose the Motion.

\*Dr. CAMERON: The case of the Church of Scotland is proposed to be dealt with by a number of Members of this House. Various Members have introduced Bills with which I emphatically disagree; but I and those who think with me have not opposed their introduction. The hon. Member for Glasgow University has introduced one Bill. I entirely disagree with that Bill, and I shall certainly oppose it at any future stage; but I thought it proper that no obstacle should be put in the way of the Bill being placed before Parliament and the country. Then the Member for Peebleshire had introduced a Bill for a referendum. With respect to that referendum, I only say *horresco referens*; but we thought it desirable that he should have an opportunity of placing his views before the House. The Government has another scheme in the shape of a Suspensory Bill. But it has been considered by a number of Scotch Members that it would be very desirable that a concrete proposition embodying our views on the subject of Disestablishment and Disendowment and our fashion of dealing with the question should be placed before the country. These views have now been embodied in a Bill. That Bill we ask the House to read a first time with a view to the provisions it contains being made known to this House and to the people of Scotland. I do not venture to pronounce an opinion as to whether they may be considered satisfactory or not; but I say we are entitled to the same courtesy as we have accorded to those from whom we differ. I, therefore, ask the House not to depart from its almost invariable practice in connection with the introduction of private Members' Bills, and to allow this Bill to be read a first time.

LORD R. CHURCHILL: Is it in Order to take a Division at this time?

MR. SPEAKER: Yes.

Question put.

The House divided:—Ayes 246; Noes 180.—(Division List, No. 73.)

Bill ordered to be brought in by Dr. Cameron, Mr. Haldane, Mr. Hunter, Mr. Beith, and Mr. Stephen Williamson.

*Sir Mark Stewart*

Bill presented, and read first time. [Bill 353.]

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 8th May.*]

[SECOND NIGHT].

Bill considered in Committee.

(In the Committee.)

Clause 1.

THE CHAIRMAN: The first Amendment upon the Paper, standing in the name of the hon. Member for Guildford, has for its object the insertion of words making the Irish Legislature "subject to the powers hereinafter reserved to the Imperial Parliament and all existing powers." This Amendment is not in Order in regard to Clause 1; but another Amendment of the hon. Member having reference to the supremacy of the Imperial Parliament upon Clause 2, which deals with the powers of the Irish Legislature, will be in Order.

MR. BRODRICK (Surrey, Guildford): Upon the point of Order, I wish to ask whether, if Clause 1, which contains at present no restriction upon the Irish Legislature, is passed without any such restriction being inserted, it will be competent for any hon. Member to move the insertion of other restrictions, in addition to the Amendments to which you have alluded?

THE CHAIRMAN: I can, of course, only speak with regard to Amendments which I have seen; but I am of opinion that it will be competent for the hon. Gentleman to move other Amendments.

\*VISCOUNT CRANBORNE (Rochester): Arising out of the point of Order, Mr. Mellor, with respect to your ruling, to which, of course, I entirely submit, I wish to know whether you will exclude any new clauses which may be proposed dealing with this subject?

THE CHAIRMAN: My ruling will not exclude a new clause. The next Amendment, in the name of the hon. and gallant Member for Hammersmith, to insert the words "whenever similar legislation has been passed for England, Scotland, and Wales," I must rule out

of Order as being vague and uncertain. I therefore call upon the hon. Member for East St. Pancras to move his Amendment, which is next on the Paper.

[Mr. WEBSTER was not present.]

THE CHAIRMAN: The next Amendment, that of the right hon. Member for Grimsby, that—

"No Member shall be returned to the House of Commons for any Irish constituency save as hereinafter provided"—

I must rule out of Order, as being applicable to Clause 9. The next Amendment, standing in the name of the hon. Member for North Islington, is in Order.

MR. BARTLEY (Islington, N.) moved to insert after the word "Ireland," in Clause 1, the words "subordinate Parliament," so that the clause might read—

"On and after the appointed time there shall be established in Ireland subordinate to Parliament a Legislature," &c.

The question raised by the Amendment was one about which they had heard something on the previous day. The Prime Minister especially referred to the words he proposed to insert in the clause, and said they were used by the late Mr. Parnell. They were very distinct words, though not more clear and emphatic than the words the right hon. Gentleman had himself used when describing the position the Irish Legislature would occupy towards the Imperial Parliament. The right hon. Gentleman had stated, not only in the House but in all parts of the country, that under no circumstances would this Imperial Parliament lose any of its predominant powers, and that an Irish Parliament, if created, would be a subordinate Parliament. He noticed that when the Prime Minister stated on the previous day that the Irish Legislature would be a subordinate Parliament, there were no enthusiastic cheers from the Irish Members;—he did not hear even the slightest indication of approval from those hon. Gentlemen; but his Amendment would really test the sincerity of the Government in the matter. The Government had stated completely and most fully that they held the doctrine that the Imperial Parliament was to be supreme, and that the Irish Legislature was to be a subordinate Parliament. The Government either agreed to that statement or they did not agree to it.

If they agreed to it, there could be no possible reason why the words he proposed should not be added to the clause; but if there was any fencing—if there was any compact between the two sides to avoid the use of words which would make clear and distinct the position of the Irish Legislature,—then, of course, the Amendment would be rejected. Knowing the views of the hon. Member for Waterford on this question, he thought it extremely likely that the hon. Member would object to the insertion of the words. But his object was to hold the Government to their words—to induce them to put their words into action. During the long discussion which took place on the point the previous day, the right hon. Gentleman stated distinctly that there was no question whatever that the Bill and every part of it showed clearly that the supremacy of Parliament was to be maintained. He was so struck by the emphatic statement of the right hon. Gentleman and by his frankness that he took down his words and included them in this Amendment, thinking that the right hon. Gentleman would at once accept them. If the right hon. Gentleman accepted the words, then they might fairly say that they had made some progress towards understanding the views of the right hon. Gentleman on this question. But he asserted that if they were simply to pass the measure on the basis of the statements of the right hon. Gentleman, they would be in endless trouble in the future. What the right hon. Gentleman meant was not always very clear; but, whether his meaning was clear or not, the Bill, if it became an Act of Parliament, would stand on its own words, and he was sure that the right hon. Gentleman would agree that there should be no doubt on this great question. No Nationalist Member had ever told his constituents that the Parliament proposed to be set up on College Green would be a subordinate Parliament. He had taken the trouble of reading a great many of the speeches made by those hon. Members; and he would candidly say that in no speech was there any indication that that Parliament was to be a subordinate Parliament, but that it was to be practically an independent Legislature, and that the supremacy of the Imperial Parliament was not to be used at all. He therefore begged to move the



insertion of the proposed words in the clause.

Amendment proposed, in page 1, line 11, after the word "Ireland," to insert the words "subordinate to Parliament."  
—(Mr. Bartley.)

Question proposed, "That those words be there inserted."

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): The hon. Gentleman stood on the extremest verge of Parliamentary courtesy when, in describing his Amendment, he said it was to test the sincerity of the Government. [*Cheers.*] A large number of gentlemen opposite evidently agree with him. The declaration of the Government has been full and clear. They have said they wish the supremacy of the Imperial Parliament to remain perfectly absolute and unimpaired. The hon. Gentleman does not believe that declaration, and wishes to put into the Bill certain words which he says will test whether that declaration is true or false. The hon. Gentleman has thus gone to the extremest limits of Parliamentary courtesy, and has, in my opinion, overstepped them.

MR. BARTLEY: I rise to a point of Order. I wish to ask—

MR. W. E. GLADSTONE: I raised no point of Order.

MR. BARTLEY: I wish to know whether the right hon. Gentleman is in Order in saying that I have overstepped the bounds of Parliamentary Rules when you, Mr. Mellor, have not called me to Order?

THE CHAIRMAN: As I understood, the Prime Minister said the hon. Gentleman had gone to the extreme verge of Parliamentary courtesy. [*Cries of "And overstepped them!"*] I do not think any question of Order arises.

MR. W. E. GLADSTONE: The hon. Gentleman did not interfere to call me to Order when I said that he had by the clearest implication stated that he disbelieved the declarations of the Government. It was only when I said the hon. Member had gone to the extremest limits of Parliamentary courtesy, and, in my opinion, overstepped them, that the hon. Gentleman interfered. I do not think that is a very immoderate objection to make to the conduct of an hon. Member who suggests that the declara-

*Mr. Bartley*

tion of a Minister of the Crown, made from his place in Parliament, on behalf of his Colleagues and himself, is worthless, and requires to be tested by the application of certain rules. I say again that that is going to the extremest limits of Parliamentary courtesy, and, in my opinion, oversteps them. The hon. Gentleman must see that, by telling us his Amendment is intended to determine whether our words were used in truth or used in untruth, is not exactly the way to commend the Amendment to the acceptance of the Government. I do not like, however, to elevate the question of the personal honour of my Colleagues or myself, which is evidently involved, and to urge it as a reason for not accepting the Amendment, for I am quite prepared to deal with the Amendment on other grounds. The hon. Gentleman professes that the object he has in view is to maintain the supremacy of Parliament. He cannot have that object more distinctly in view than the Government have. Our desire is to leave the supremacy of Parliament exactly as we find it. We believe it to be in the Bill, and we believe it to be secure. The hon. Member will remember that yesterday I spoke of the word "subordinate" as used by Mr. Parnell. I am not prepared to deny the assertion that the Parliament in Dublin will be a subordinate Parliament; and undoubtedly it will be subject, like every other Parliament in the Empire, to the supremacy of the Imperial Parliament. I understand that some proposal will be made to express that supremacy by a clause rather than by the Preamble. I do not think there can be any objection in principle to such a mode of proceeding, if the proposal be made. It is a matter entirely for the consideration of the House whether the supremacy of the Imperial Parliament should be declared by the Preamble or by a clause. My sole interest is that we shall not, by bungling proceedings, weaken the supremacy when we seek to strengthen it. If we are to speak of supremacy by clause or by preamble, the proper way is to speak of it without attempting to define it. This word "subordinate" Parliament, however accurate a description it may be in a speech, is a mode of language entirely new to our legislation; and I am disinclined, whether by way of test-

ing my own sincerity or not, to agree to the introduction of this new-fangled language, which is not recommended as carrying with it any practical consequence whatever. If the Bill has these words introduced into it, the Bill will be the same as it is now. The declaration that the Irish Legislature is subordinate to Parliament will have nothing whatever of legal force. But why is this term to be introduced? This is not the first instrument by which subordinate Parliaments, if you like, or by which Parliaments, subject to the authority of the Imperial Legislature, has been made. We have a multitude of Colonies all over the world by which such Parliaments have been constituted. Some of these Colonies are great and some are small; their circumstances are as varied as their situation and climate; but, whether they are large or small, the Imperial Parliament, in giving them privileges larger than those which are proposed to be given under this Bill, has never recorded that the Parliaments so created were "subordinate" Parliaments. The intention of this Amendment is evident. It is intended to cast a slight upon the Irish Parliament, and for the first time this proposal comes from a Party which is supposed, and sometimes profess itself, to be indisposed to innovations. If adopted it will be an innovation of an entirely disparaging character; it will be, in fact, a bar sinister upon the Irish Legislature. The question of the supremacy of the Imperial Parliament is not at issue. The question is whether the word "subordinate" is to be introduced for the first time to disparage the Irish Legislature—to signify that the Imperial Parliament had a distrust of it, which it does not entertain towards the other Legislatures of the Empire, to place it on a distinctly lower level than the other Legislatures, so that it might know that it came into the world with a mark of disfavour. That is not the spirit in which we ought to approach a Bill of this kind. If we were to look forward, as we do look forward, to the loyalty of the Irish Parliament, we must clearly show some reasonable degree of trust in it compared with the measure of trust which we have shown in the case of all other Parliaments throughout the Empire, for Colonies like Newfoundland and Western

Australia, however small and insignificant, have received these Legislative Bodies without anything in the nature of a stigma upon them. I will not say a word now on the question whether the House is satisfied with the declaration of supremacy which the Government have made. I wish to leave that entirely open without prejudice. The right hon. Gentleman the Member for West Birmingham said last night he did not believe both sides were agreed in desiring to maintain the supremacy of Parliament in its large and unlimited form. Let the right hon. Gentleman speak for those with whom he acts. I speak for those with whom I act, and I affirm it to be their unquestionable, clear, deliberate, uniform, and unanimous intention that the supremacy of the Crown and of the Imperial Parliament should in no respect, manner, or degree be affected by the Bill, and that their whole object is that the best and most rational mode of giving effect to that view should be adopted.

LORD R. CHURCHILL (Paddington, S.): The First Lord of the Treasury has been a little hard in describing the character of the Amendment. I do not think it was brought forward with any such motive as the First Lord of the Treasury has understood. It was a Motion perfectly *bonâ fide* on his part, to arrive somehow or other at a practical and not a paper declaration of supremacy, and I should be inclined to complain of the treatment which the right hon. Gentleman has measured out to my hon. Friend, if it were not that we are so extremely rejoiced and surprised that the Prime Minister has set the example to his Party of discussing in the most interesting manner the details of his own clause. It is not a question of the sincerity or credit of the Government. We want to know certain practical details as to how the supremacy will work in actual practice, and in what way it differs, if it differs at all, from other supremacies over other Parliaments. The language of the Prime Minister in the discussions of the Bill does not assist us in arriving at any conclusion on the subject. The right hon. Gentleman, either on the First Reading or on the Second Reading, used the words "separate and independent Parliament." [Mr. GLADSTONE expressed dissent.] It was so reported in *The Times*. The right hon. Gentleman last night

talked of the Irish Parliament as subordinate. If the right hon. Gentleman applied the epithet "separate and independent" on the one occasion, and the epithet "subordinate" on the other, ordinary minds—I do not know whether it is owing to defective intelligence or to the superior discrimination of the Prime Minister—cannot reconcile them. The Amendment raises exactly the converse of the discussion last night, but it enables me to put before the House what is the real and practical argument on the question which the Government have not touched. The right hon. Gentleman has just said that by the Bill the Government leave the supremacy of the Imperial Parliament over Ireland exactly as they found it. But that is a large description that wants a great deal of explanation. What do we part with by constituting a Parliament in Ireland as regards the supremacy of the Imperial Parliament? We part with two great supports of Imperial supremacy—the control over the Executive in Irish matters and the whole power of controlling Supply as it may be raised or disposed of in the Irish Parliament. Neither of these powers is ever applied to the supremacy of the Imperial Parliament over the Colonies, which are really self-governing. If it is to be a colonial supremacy we must give the whole of the Executive and the whole of Supply and more to the Irish Parliament. If it is to be a supremacy as you find it, you must introduce into the Bill practical provisions which will enable you to control the acts of the Irish Executive in their administration of Ireland, and also the manner in which the Irish Parliament raise and dispose of the Supply which comes from the taxes of the country. The question is, Will the supremacy of the Imperial Parliament over Ireland so closely resemble the supremacy over the Colonial Parliaments that you can hardly draw a distinction between them, or will it be, as the right hon. Gentleman said, the Imperial supremacy as we now find it? I hold that on that point Parliament has a right to be informed. I would point out that the supremacy cannot be quite on the colonial model. What colony has to pay anything in the nature of tribute to England? And what machinery do you possess or would you set up to enforce a contribution towards Imperial expen-

Lord R. Churchill

diture from the Colonies? But by this Bill you take tribute from Ireland. [Mr. T. M. HEALY: That is not the question.] I am showing the utter want of analogy between the supremacy of Parliament over Colonial Legislatures, and the supremacy, as the Government profess to establish it, over Ireland under the Bill. I attach particular weight to the fact of our imposing a tax upon Ireland, and drawing what was called in 1886 a tribute from her; and I say if there is no practical supremacy in the Executive and in Supply, that would be attended with the utmost difficulty, and would in practice become almost impossible. I can dwell, also, on the effects in relation to that question of the provisions of the clause as to the veto, or, as I prefer to describe it, the refusal of the assent of the Crown to a measure on the advice of the Government. The proper phrase is, *La Reine s'avisera*. What I am saying is that the Royal Assent would not be the same as in the case of the colonies. I do not understand that the Government contemplate that the Royal Assent to measures passed by the Irish Parliament will be such a complete formality as it undoubtedly has been in the case of the colonies for a great number of years past. Undoubtedly there have been times when interference has taken place in colonial questions, but very rarely; and I think that in every case where the Government was sure that the Colonial Ministers possessed the confidence of the colony their wishes were carried out. The right hon. Gentleman said we are not to prejudge the case, but what I wish to submit to him is that we have not yet thoroughly grappled with the question of supremacy. We have not prejudged anything. We have tried to get a definite, concrete idea as to how this supremacy is to be worked. I do not press the Government to go closely into this matter now. There will be many opportunities of referring to this question. If my hon. Friend should go to a Division I shall vote with him. I am certain the course of the Government will be easier and their proceedings more harmonious if the right hon. Gentleman would give us a little information on this question, and so put us in a position to judge whether we must ourselves introduce a proposal to carry out practically this supremacy or whether the Government

themselves will carry it out under the Bill.

\*MR. H. HOBHOUSE (Somerset, E.) said, he had put a similar Amendment on the Paper, but with rather a different intention to that of the hon. Member opposite. His principal object was to try to reconcile, if he could, the very conflicting expressions of opinion on the subject which had come from various parts of the House. There was no more favourite phrase amongst the supporters of the Government on the platforms of the country than that they were ready to vote for a "subordinate Parliament for Ireland"; and it must be a little astonishing to these gentlemen to hear their Leader rise and tell them that such an expression was a slight and an insult to the Irish people. From the constant use of such expressions the electors had, in many constituencies, come to the conclusion that the Home Rule that was intended was nothing more than a magnified County Council. He thought they were entitled to hear the views of the supporters of the Government on this point, and to know their reasons for voting against the insertion in this Bill of the phrase which they had found so popular in the country. There was another party they should like to hear which supported Her Majesty's Government. The hon. Member for Waterford (Mr. J. Redmond), in an article in October last, speaking of the supremacy of Parliament, declared that—

"There must be a formal compact entered into, that while the Irish Parliament lasted it must be permitted sole and unfettered authority, free from interference by the Imperial Parliament, and subject only to the Constitutional veto of the Crown."

Was that a subordinate Parliament? He asked the hon. and learned Gentleman if that compact had been entered into? If so, they knew nothing about it, and the House generally was not a party to it.

MR. J. REDMOND (Waterford): I am reluctant to interrupt the hon. Gentleman; but he has quoted from an article I wrote in October last. Luckily, I have the volume in my hand containing the article, and I am able to supplement the very brief quotation that he made. I asked the question, what was the meaning of the supremacy of Parliament, and I quoted a definition of it by the Chancellor of the Duchy, in which he said that this Parliament is

supreme, and that it is not a question as to how we can divest ourselves of this power, because we cannot do so. He added that there was only one limitation to the omnipotence of Parliament, and that was that we cannot bind our successors. I went on to say that I accepted this as a true description of the position from a Constitutional point of view. The rights of the Imperial Parliament after the constitution of the Irish Legislature would remain intact.

\*MR. H. HOBHOUSE said, he did not think there was anything in what the hon. Member had said that took away at all from the point he was making. They wanted to grapple with things rather than words in dealing with this Bill. They were not going to be satisfied simply by a reference to Colonial precedents, because the case of the Colonies was very different to that of Ireland. He did not question the sincerity of the Government, but he maintained that they had no right to refuse to grapple with the difficulty that the English portion of their supporters were only ready to give something very different from what the Irish portion of their supporters knew that they were going to receive and from what they insisted on having. One of the objections to this Amendment was that there was no practical value in inserting this word "subordinate." He contended, however, that if it was inserted in the beginning of the Bill it would show at once to the world at large, and to Ireland in particular, that what they were going to have was not a Parliament in our sense of the word, or in the Colonial sense of the word, but something very different even from a Colonial Parliament. The First Lord of the Treasury said it was a slight to Ireland even to use this word. But if that were so, was it not a much greater slight to Ireland and to the Legislature they were creating in Ireland to impose upon it any number of restrictions and exceptions which no Colonial Parliament would ever submit to? The Legislature which the Prime Minister proposed to create was something entirely different from the Legislature which existed in our great Colonies, so that they might well give it a different name. And it was in no way insulting or slighting to the Irish people to show them from the beginning of this Bill that the Parliament they meant to

give them was something very different from the Parliaments which governed our great self-governing Colonies. He could not see any legitimate objection to the insertion of the word except one, and that objection did not appeal to any Member of the Unionist Party. That objection was, that if this word was inserted it would be impossible for Irishmen to represent that they were getting all their most extreme fellow-countrymen had demanded, whilst at the self-same time English speakers on English platforms could inform the electors that the Legislature they were going to grant was nothing more than a magnified County Council. It was with the object of clearing up all doubt on this matter and of making the Bill convey what was, he believed, the intention of its authors to the people of Great Britain and Ireland that he strongly pressed upon the House to insert the proposed word.

\***VISCOUNT CRANBORNE** (Rochester) desired to clear up a point which had been left in some doubt, and that was as to the precise information they got from the Home Secretary on the Second Reading of this Bill. It was very necessary to clear it up, because there had been considerable difference of statement from various Members of the Government in the course of the Debate last night and that afternoon. The Home Secretary on the Second Reading Debate, speaking of a clause asserting the supremacy of Parliament, said—

"I think I can promise, on behalf of Her Majesty's Government, that such a clause will not meet with the slightest opposition."

He wanted to know whether the Government would repeat that pledge, and whether they might rely upon it that if they brought up a clause at the end of the Bill the Government would accept it? He observed no movement on the part of the Government. He knew the argument was used by the Home Secretary that this demand for a declaration of supremacy did not come well from them (the Opposition). The argument might be retorted that it was of the greatest importance, from the Government point of view, that there should be such a declaration. They (the Government) believed that a sort of treaty was to be made between England and Ireland by the passing of this Bill; they thought that both sides would loyally carry out

the policy entered into, and that that would be the guarantee for the success of Home Rule. They did not intend to proceed on the basis of express enactment, but upon the basis of a careful declaration of what the terms were to be which were to be carried out by the good faith of both sides. That was the view of the Home Secretary when addressing his constituents. The right hon. Gentleman then relied for the success of Home Rule not upon express enactment, but on the good faith of the parties to the bargain. He (Viscount Cranborne) did not question the good faith of the Irish Members, but let it be clear what was to be the bargain between the two Parties. The question of supremacy was an important part of the matter. Let them, therefore, make it clear what their conception of the Parliament in Ireland was and what its relations were to be towards the Parliament in England. There were distinctively three views as to the supremacy of the Imperial Parliament. There was the dormant view of the hon. Member for Waterford. This supremacy would be all right if it was dormant. Then there was the view of the Prime Minister that the supremacy of Parliament was inalienable, and that it was not necessary to insert any provision to provide for it on the face of the Bill. And when they began to consider what the value of this inalienable supremacy was for them the Prime Minister quoted the Colonies, and he actually quoted Newfoundland, which had lately been distinguished by flouting the Imperial supremacy. The Prime Minister's kind of supremacy was, of course, of no value whatever. There was a third conception of it—the conception of what he might call the moderate Gladstonian Party. They believed that the supremacy ought to be a real supremacy. He thought even the Chief Secretary conceived, when he was at Newcastle, that the supremacy was not to be merely enshrined in a Preamble, but was to be definitely safeguarded. The Chief Secretary at that time spoke of a full reservation of the supremacy of the Imperial Parliament, and he certainly would not have been satisfied with the inalienable supremacy. When the right hon. Gentleman stood before his constituents he proposed definitely to reserve the supremacy in the Bill. Then there was the right hon. Member for Wolver-

hampton (Mr. H. H. Fowler), who had always been a very moderate Home Ruler. That right hon. Gentleman proposed to pass Home Rule subject to conditions for securing the unity of the Empire and the supreme authority of Parliament. He would not have been satisfied with the inalienable supremacy. He should like to know what the view of the right hon. Member for Wolverhampton was now, because he was very emphatic a year or two ago as to the supremacy of the Imperial Parliament, which was not to be an inalienable supremacy, but was to be a definite supremacy. The right hon. Gentleman made a speech at Rossendale, when he used these words—

“The Irish Parliament might do foolish things; they probably will. They must work out their own salvation. If they did wrong things the supremacy of the Imperial Parliament became an effective force.”

He wanted to know whether the right hon. Gentleman still adhered to that form of supremacy, because if he did he could not be satisfied with inalienable supremacy. It was not treating the House of Commons fairly to treat it as the Prime Minister did, and to try and persuade two Parties who absolutely differed as to their conception of what the supremacy ought to be to vote for the Bill on these vague generalities of the inalienable supremacy of Parliament, and if for no other reason than the Prime Minister's speech, he should be prepared to vote for this Amendment.

\*MR. BLAKE (Longford, S.) : It seems to me that the speech of the Mover of the Amendment sufficiently indicates the inutility of this particular Amendment as a means of solving the questions which those who bring it forward desire to solve. Because there can be no doubt from the speeches which have been delivered that what is wanted at this stage is to settle in debate, at any rate, if not by a clause, the precise nature and character of the subordination of the Irish Legislature and the supremacy of the Imperial Parliament, while the proposed Amendment does no more than suggest the fact of subordination. The question which it is desired to know is, what is the degree and character of the subordination, the degree and character of the supremacy, and that will not be forwarded one stage

after the Amendment has been either adopted or rejected. The Amendment is utterly useless, therefore, for the purposes for which it is advanced, and it is also utterly useless for the purpose of establishing the general proposition of the subordination of the Irish Legislature, because I think all reasonable men must be absolutely satisfied that that Legislature, the creation of this Imperial Parliament (which is to remain clothed with all its former powers of Legislation) must be subject to its creator, must be susceptible of being remodelled, abolished even by the Parliament which has made it. That being so, we do not get any further by a general declaration of subordination, which is at the same time useless and insulting, for the reasons stated by the Prime Minister in those words which proved his statesmanship, in which he showed that it is not by giving slights and insults to a people that you can conciliate their confidence and achieve those good relations which contain the only element that is valuable, and all that is valuable in the connection; and in which he declared that he would not put language into this Act absolutely useless for any good purpose, but which should mark the Legislature about to be created with a brand of inferiority over the smallest of the Colonies having Legislatures created by this Parliament. I have no right to speak for anyone but myself; but I say there is an unanimity of statement both public and private amongst the gentlemen who sit on this Bench upon the point to which this Amendment is addressed of the subordinate character of the Irish Legislature. They confess, acknowledge, and realise, and have ever since 1886 confessed, acknowledged, and realised, that characteristic of the Legislature proposed to be given to their country; and as reference has been made more than once to the precise language in which that declaration was made by the Leader of the Irish Party, and the Irish people at the time, I think it is not useless to refresh the memory of the House as to the declaration which Mr. Parnell did in fact make in 1886 in the discussion upon the Second Reading of the Home Rule Bill, a Bill which contained no Preamble with reference to the supremacy of the Imperial Parliament. It was not thought neces-

sary ; it was not necessary. What he declared was this—

"We have always known since the introduction of this Bill the difference between a co-ordinate and a subordinate Parliament, and we have recognised that the Legislature which the Prime Minister proposes to constitute is a subordinate Parliament ; that it is not the same as Grattan's Parliament, which was co-equal with the Imperial Parliament, arising out of the same Constitution given to the Irish people by the Crown, just in the same way though not by the same means as Parliamentary Institutions were given to Great Britain by the Sovereign. We understand this perfectly well. Undoubtedly I should have preferred, as I stated in speeches which have been quoted against me as showing that I could not accept this proposed settlement as final—I should have preferred the restitution of Grattan's Parliament ; it would have been more in accordance with the sentiments of the Irish people, whose sentiments in such matters it is most important to regard. But with reference to the argument that has been used against us, that I am precluded from accepting this solution as a final solution, because I have claimed the restitution of Grattan's Parliament, I would beg to say that I consider there are practical advantages connected with the proposed Statutory Body, limited and subordinate to this Imperial Parliament as it undoubtedly will be, which will render it much more useful and advantageous to the Irish people than was Grattan's Parliament, and that the Statutory Body which the right hon. Gentleman proposes to constitute is much more likely to be a final settlement than Grattan's Parliament."

Many years have elapsed since that statement was made. There have been seven years of discussion with reference to the Home Rule Bill of 1886, with reference to its vital principles ; and after those seven years we come back here to reiterate the declaration made in June, 1886, upon that subject. As to the character of the supremacy, I do not intend to enter just now in detail into that question, which, as I have already pointed out, would not be settled one way or the other by the insertion of the word "subordinate." As to the fact of subordination there is no doubt. I believe there is not a man in the ranks of those who support the Government, from whatever part of the United Kingdom he comes, whatever his special relations to this question may be, who does not freely and fully acknowledge the proposition that in truth and in fact the Legislature which is to be created is a subordinate Legislature. But about the supremacy, since reference has been made to it, let me read a few words more from the speech of the same Leader delivered upon the same occasion with reference

to his then understanding of supremacy. Mr. Parnell said—

"I understand the supremacy of the Imperial Parliament to be this—that they can interfere in the event of the powers which are conferred by this Bill being abused under certain circumstances. But the Nationalists in accepting this Bill go, as I think, under an honourable understanding not to abuse those powers, and we pledge ourselves in that respect for the Irish people, as far as we can pledge ourselves, not to abuse those powers, and to devote our energies and our influence which we may have with the Irish people to prevent those powers from being abused. But if those powers should be abused, the Imperial Parliament will have at its command the force which it reserves to itself, and it will be ready to intervene, but only in the case of grave necessity arising. I believe that this is by far the best mode in which we can hope to settle this question. You will have the real power of force in your hands, and you ought to have it ; and if abuses are committed and injustice be perpetrated you will always be able to use that force to put a stop to them. You will have the power and the supremacy of Parliament untouched and unimpaired just as though this Bill had never been brought forward. We fully recognise this to be the effect of the Bill."

After seven years of discussion we come back here to-day to reiterate that statement also. With reference to the necessity of this Amendment, I say it is absolutely unnecessary. I say it is clear to demonstration that the supremacy of the Imperial Parliament will remain just as strong, just as clear, just as capable of being used without this proposition as with it, and that it is dangerous to insert in any clauses in this Bill which have relation to a particular subject or to particular incidents of the question—it is dangerous to there insert these declarations unless you propose to insert them in almost every clause of the Bill one after another. You know not what result may follow from omission anywhere else, if you once begin to insert them with reference to particular clauses, and therefore it is that I have always been of opinion that if you act at all it is either by Preamble which affects the whole Bill or by some general declaratory, not by enacting, clause, that you should deal with the question of supremacy as dominating the whole, instead of trying to touch it with reference to any one clause. But I agree with the view that clauses or preambles are utterly unnecessary and perhaps weakening. I rather object to them, from that point of view, and from that point of view alone. I

*Mr. Blake*

believe that the substance of the case is that the supremacy obviously remains unimpaired, and that was the view taken by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) when he suggested the possible danger that, at any rate, the moral supremacy of Parliament might be minimised or interfered with by the Bill of 1886 which excluded the Irish Members. When he proposed that the Irish Members should be retained, as they ought to be retained, he said this—

“But, Sir, that is a matter of first and cardinal importance. It is a matter to which I have always attached the greatest possible weight, because if the Irish Members are retained at Westminster, the Imperial Parliament remains the Imperial Parliament, and its supremacy would then be an established fact. The Legislative Authority in Dublin—you may call it a Parliament—will be a subordinate and not a co-equal Authority.”

The right hon. Gentleman did not want a clause, or preamble, or declaration. He rested upon sounder and more solid ground. There it was. The facts were so. These results flowed inevitably from the circumstances which would exist when the Imperial Parliament remained with the Irish Members here. I believe he was wise and statesmanlike then. I am only sorry he does not remain so to-day.

\*MR. GOSCHEN (St. George's, Hanover Square): It has really been agreeable to hear an Irish voice intervening in this Debate, and to hear one of the Irish Leaders speaking with the full authority of those who sit around him. The hon. Member said there had been a uniformity of statement since 1886 with regard to the view of the supremacy of the Imperial Parliament; but in this Debate, at all events, there has been a uniformity of silence amongst the Irish Benches, and neither last night, when we were discussing the sovereignty, nor to-day, until the hon. Member rose when we were discussing the subordination of the Irish Parliament, have hon. Members below the Gangway thought it necessary to inform the House of Commons of their views upon this matter, and I think I may say their views are of deep interest to us with regard to this question, not of less interest even than that of the Government itself. Although the hon. Member who spoke last discussed the question, we were not clear whether he

was in favour of the dormant supremacy, the Prime Minister's supremacy, or of the supremacy of the Moderate Gladstonians. On the whole, I should gather his view is the inalienable right of Parliament to be enforced as suggested by Mr. Parnell, by the Forces of the Crown if it should be necessary. The hon. Member read out a passage from a speech of Mr. Parnell, which showed that this Parliament was always to be able to enforce its views owing to the possession of the Naval and Military Forces of the Crown. Now, that kind of supremacy is not the supremacy, I believe, which would satisfy those who sit upon this side of the House and the Unionist Party in general. Well, then, the hon. Member says this matter has been discussed for seven years. A particular statement was made in the year 1886; it is made again now in 1893, and the hon. Member spoke as if the discussion from 1886 had led up naturally to the present position. But there have been many interesting intervals, and a flood of light has been let in, and how hon. Members—either below the Gangway or hon. Members opposite—can attach any importance to the declarations of 1886 passes my understanding, considering that they have been repudiated by the Leader of the Irish Party—the trusted Leader of the Irish Party. He informed them, with frank cynicism, that the Bill was a Parliamentary bid, and he informed, practically, the British people that no reliance could be placed upon the declarations which were made at that time. And then the hon. Member below the Gangway thinks that these discussions have been continuous. Has he studied the Irish Press during the interval? [Mr. BLAKE: Yes.] Very well, I think he will find that what was said in 1887, 1888, and 1889 was very different from the sentiments he quoted. Whatever hon. Members may say in this House, I think the Irish Press also should be studied upon this question; and I would recommend that not only should hon. Members listen to the utterances of hon. Members in this House, but they should study the local Irish Press to see what views generally Irishmen are invited to take with regard to the supremacy of this Parliament and the subordination of an Irish Parliament. The Prime Minister said he



objected to the introduction of the word "subordinate" on two grounds. He thought it was a new-fangled word, and a word that would be insulting to the Irish people.

MR. W. E. GLADSTONE: And would carry no legislative force whatever.

\*MR. GOSCHEN: I will deal with the third argument as well as the other two. The first argument is that it is a new fangled-word, and that comes from the author of the most new-fangled Bill that has ever been submitted to Parliament. We shall have to invent a great many new Parliamentary terms before we have done with the discussions on this Bill. The author of such vast Constitutional—not only developments, but changes and revolutions, suggest that we are foolish in introducing a new-fangled word such as "subordinate" into this Bill. Then the right hon. Gentleman thought it would be insulting to the Irish people. Well, but the word "subordinate" has been used as the right hon. Gentleman has heard by the late Leader of the Irish Party himself. It has been used, as he has been reminded, by candidate after candidate at the last Election. Now, I never saw the rebuke come from headquarters "Avoid that term for fear it should hurt the sensitive feelings of the Irish people." Why is the word now to be scratched out from our Parliamentary proceedings when it has played so great and so successful a part during the late Election? But the right hon. Gentleman has given a reason. It would discriminate this Irish Parliament from Colonial Parliaments. Here is a bar sinister to be put across the Irish Parliament. We have given Colonial Parliaments; we have not introduced these words in the Colonial Parliaments; and I see, for that very reason, a most important argument in favour of the introduction of "subordinate" in this matter, because it is a fair notice to Ireland that the Irish Parliament will not stand upon the same footing as the Colonial Parliaments. It is of great importance that this should be thoroughly understood; because afterwards there is always the danger of a charge of breach of faith. Now, if I may refer to last night's vote, I would ask what will be the impression of last night's vote upon Ireland? The Irish Members and the Ministerial Party voted

against the supremacy of the Imperial Parliament. [*Cries of "Oh!"*] I am glad to know from the interruption that they only voted against the declaration of that supremacy—no doubt a totally different thing. The Government have declared the sentiments with which they are animated in their vote; but there is nothing to show what sentiments animated the Irish Party. They are not bound by the declarations of the Prime Minister. If the word "subordinate" be an insult, then all the restrictions which are placed on the Irish Parliament, and which are not placed on the Colonial Parliaments, are equally insults to the Irish people. Why not look the matter in the face, and be candid in the Bill itself? If the Parliament is to be subordinate, why not say so? The hon. Member who has last spoken maintains that if the Amendment were accepted, the principle would have to be re-asserted in every clause. The assertion of the principle is only necessary in those clauses which deal with the constitution of the Parliament; and it would be a great advantage for the future understanding of the bargain. We are told that there can be no enacting force in this matter. Whether the words of the Amendment will have an enacting force or not, I urge their insertion on the ground that both the British people and the Irish people ought to know from the beginning that the subordination of the Irish Parliament is not only theoretical but practical. Honesty requires the insertion of the words. Hon. Gentlemen opposite did not take the same view they do now in their election speeches. I say we ought to have this principle in the forefront of the Bill, as every clause—the construction of every clause—may depend on it.

MR. R. B. HALDANE (Haddington) said, that the supporters of the Government had some cause to complain of the speech of the right hon. Gentleman, because he had made, in form, a forcible criticism, without saying what he wanted. First of all, when they declared themselves in favour of Home Rule they were asked what they meant. They said they meant a subordinate Parliament with an Executive responsible to that Parliament, reserving to the Imperial Parliament legislation on certain subjects. When a Bill was produced, objection was taken

on the ground that it did not preserve Imperial supremacy; and when they asked what was meant by supremacy, they received various answers. They had one in the very moderate and useful speech of the noble Lord the Member for Paddington (Lord R. Churchill); and early in the Debate there had been a most important statement from the Leader of the Opposition (Mr. A. J. Balfour). The right hon. Gentleman said that he believed, on eminent legal authority, that this Bill completely preserved the paper supremacy—that was, the theoretical supremacy. If that were so, it relieved the Committee from a great deal of controversy. The noble Lord the Member for Paddington now asked whether the practical supremacy was maintained? The Committee were under great obligation to him for explaining what he meant. The two elements of practical supremacy to which the noble Lord attached most importance were the control of the Executive and the control of Supply. It was impossible to retain complete control of Supply if a subordinate Parliament were established. Every Local Board which had a discretionary power of rating was beyond central control. It was the very essence of Home Rule in every shape to leave the raising of ways and means to the delegated body. As to the Executive, under the Bill there was complete legal supremacy, because the Act of Union was not repealed; there was power to legislate on certain reserved subjects; in relation to certain matters—as, for instance, the Post Office—direct Executive control was retained; the power of veto implied a certain control over the Executive; and all Constitutional questions were to be tried by a supreme tribunal of appeal created by the Imperial Parliament. The extent to which a subordinate body was to be actually controlled by the Imperial Parliament was a question rather of practice than of theory. It was impossible to define it in a Bill. The Crown Colonies had been controlled in varying degrees at varying periods of their existence. But if the action of a subordinate body were justified by experience, then Imperial interference lapsed. And so it seemed to him that the demand that clauses should be put in the Bill declaring the extent of the practical supremacy to be exercised

by the Imperial Parliament was not a reasonable demand. As the Irish Parliament failed or succeeded in its mission, so would the control of the Imperial Parliament be greater or less. If the Irish Parliament were successful, there would be no need to interfere, except on the subjects reserved to the Imperial Parliament; and if the Irish Parliament failed, then the theoretical supremacy would become a real supremacy to be acted upon. If the Irish Legislature succeeded the Imperial supremacy would be exercised less and less; and if it failed that supremacy could easily be enforced under the powers contained in the Bill. It was, therefore, entirely dependent upon the degree and extent of the success of the Irish Legislature that the exercise of the Imperial supremacy would depend, and, consequently, it would be an abuse of the forms of Parliament if hon. Members were at that stage to vote for the insertion of the words proposed to be adopted by the hon. Member, which had no practical value at all, and which would not carry them a step further in regard to the supremacy of the Constitution.

COLONEL SAUNDERSON (Armagh, N.) said, that it was always refreshing to him to hear a British lawyer speaking upon Irish affairs. The hon. and learned Member for Haddington, who had just sat down, had dealt with this subject from an academic point of view. The hon. and learned Gentleman contemplated the possibility of the success of the Irish Legislature, in which case he informed the Committee he was of opinion that the question of the supremacy need never be called into action. But, then, the hon. and learned Member went on, with perfect equanimity, to contemplate also the possibility of the failure of that Legislature. To the hon. and learned Member that meant nothing; to the North of Ireland it meant ruin. Therefore, the hon. and learned Member could not expect him and those who thought with him to contemplate that failure which the hon. and learned Member looked upon as possible, and which he and his friends regarded as absolutely certain from a mere academic point of view. The hon. and learned Member was fully persuaded that the supremacy of the Imperial Parliament was absolute and complete under this Bill. But the

hon. and learned Member did not tell the Committee how that supremacy was to be put in force in Ireland if it was required to be exercised. Supposing, as the hon. and learned Gentleman seemed to think possible, and as he believed to be certain, that the Parliaments of Westminster and of Ireland should come to loggerheads, he should like to know what machinery had been provided that would enable the Imperial Parliament to enforce its supremacy. The supremacy of the Imperial Parliament could only be enforced through the Irish Executive, which would be under the entire control of the Irish Parliament. Such a supremacy would not be worth preserving. The hon. Member for Longford (Mr. Blake), who had had a somewhat long, a varied, and, he believed, a not altogether successful experience of Canadian politics, had given the Committee his view of the supremacy of the Imperial Parliament. But had the hon. Member read the speeches of the Irish Nationalist Members during the last seven years? The hon. Member had referred to the speeches of Mr. Parnell on the subject; but was the hon. Member aware that not so very long ago the right hon. Gentleman the Chancellor of the Exchequer (Sir William Harcourt) had made the declaration that Mr. Parnell's Home Rule was a Fenian Home Rule. He imagined that a Fenian Home Rule would not contemplate the maintenance of the supremacy either of the Imperial Parliament or of the Crown. He accepted the statement of the hon. Member for Longford as an honest one, but he doubted whether it was of equal value upon this subject to those which had been made by the Leaders of the Irish Nationalist Party. Great strides had been made in the course of this Debate, and it was now known for the first time what sort of supremacy it was that the Government contemplated by this Bill. It was clear that the Government contemplated placing the Irish Legislature in a position analogous to that of a Colonial Parliament. He did not think that that proposal had been brought before the constituencies at the last Election with sufficient clearness. The Colonies were virtually and practically independent, and if they placed Ireland in a position analogous to that of Canada, for instance,

*Colonel Saunderson*

they would be placing her far on the road to a possible separation. What was meant by this supremacy of the Imperial Parliament? If it meant simply a bare statement in the Preamble, or even in a clause of the Bill, that such a supremacy existed, he should vote against it, because he should look upon such a statement as not worth the paper it was printed upon, and as merely intended to throw dust in the eyes of the British people. Why had this statement in the Preamble been so cheerfully accepted by all sections of the Irish Nationalist Party? It was because, in their opinion, it meant nothing. It meant nothing as far as giving real power to the Imperial Parliament to prevent the Irish Parliament from committing various deeds of eccentric legislation was concerned, but it did mean something as far as it would enable the Irish Executive to crush down the Irish minority by means of the Imperial troops. If the Imperial Parliament was to treat Ireland like a Colony let the Imperial Army be withdrawn. The Irish minority were willing to be treated on the footing of a Colony, but they protested against a supremacy that would enable the gentlemen who would form the Irish Government to appeal to the Imperial Parliament for the assistance of the Army and Navy to compel the Irish minority to obey their behests. That was a form of supremacy that was absolutely abhorrent to the Irish minority. Of what use would such a supremacy be to this country? When would that supremacy be exercised? If it were no use the sooner it was got rid of the better. If it were of some use, to what use was it going to be put? One of the uses to which it might be put was to enforce the payment of the contributions which Ireland was to make to this country. If Ireland refused to hand over the Revenue derived from the Customs, as undoubtedly it would do, the supremacy might be resorted to in order to enforce that payment. The Imperial Parliament would then have to enforce the payment through the Irish Executive, and so require the latter to enforce payment of a tribute to the hated Saxon. That was a sort of supremacy that he could not contemplate without a shudder. It was only by means of the Imperial soldiers that the

payment could be exacted. The Imperial Parliament must capture the Irish Exchequer, and must take forcible possession of the person of the Irish Chancellor of the Exchequer in order to enforce its supremacy, or else not a single shilling would be able to be extorted from the patriotic Irish people. Unless this could be accomplished, the so-called supremacy of the Imperial Parliament was a sham. In the view of the Irish minority, supremacy would be a good thing if it meant anything; but to the sort of supremacy he had referred they would offer the most uncompromising opposition. He could not help wondering why the hon. Member had moved this Amendment, because the term "subordinate" would be most inapplicable to an Irish Parliament. Had the word been "insubordinate" it would have been much more appropriate. Then it would convey the real meaning that the Home Rule Bill had in the eyes of the Irish people. It would mean something. They would vote for the Amendment, because it would be a foundation stone upon which they could build further alterations in the Act. It would be the first step towards making British supremacy a reality instead of a sham. As he had already said, he was opposed to the Bill, amended or not amended; but, at the same time, they should endeavour to make the present Home Rule Bill better than the previous one. Their stand was that if there was to be Home Rule in Ireland it ought to be the least noxious kind of Home Rule that the House could devise. To render it to some extent innocuous, they had taken as a starting point the attempt to insert words to prevent Home Rule from being the utter ruin of Ireland and from working the destruction of this Empire. They ought to give the Imperial Parliament a right that could not be questioned to supervise all the Acts and all the deeds of the proposed Irish Executive. It was because he believed the Amendment recognised the importance of starting on the line of rendering the Irish Legislature subordinate that he should certainly support it.

\*MR. R. G. WEBSTER (St. Pancras, E.) said, he could not agree with the hon. Member for Haddingtonshire (Mr. Haldane), except in the statement that when we first gave Governments to our Colonies we maintained a *quasi* authority

over them; but as they had grown older they had gradually become absolutely independent of the Mother Country. He ventured to say that if this Bill, or anything like it, was given to the Irish people gradually, the same condition of things would happen as that which prevailed in the Colonies. The hon. Member for Longford had referred to the fact that when Mr. Parnell was alive he had been quite agreeable to the Irish Parliament being subordinate; but in Committee Room No. 15 Mr. Parnell went behind that statement, and said that he had declared himself agreeable to the Irish Parliament being subordinate merely as a piece of Parliamentary tactics. Before they went on with such an important measure as this, they ought to carefully draw a line of demarcation between the power of the Imperial Parliament and that of the subordinate Irish Legislature. The line of cleavage might be the cause of great difficulty and danger in the future. When the United States first obtained their independence one of their first acts in framing their Constitution was to carefully and definitely lay down the exact powers of the State Legislatures, and where that of the Federal Government was to commence, and yet difficulties had arisen from time to time; and unless in the present instance a line of demarcation were laid down the door would be open to great dangers, and perhaps to civil war such as that which had convulsed the United States. They could have two Executive powers and two mock Parliaments; but he denied that they could have two Executive powers and two co-ordinate Parliaments. No doubt there had been divergencies of opinion between Grattan's Parliament and the Parliament of Great Britain, and there was no doubt that Grattan's Parliament was kept subordinate by gross corruption. There were a number of Members in the Irish Parliament who were directly in the pay of the British Parliament—a state of things which nowadays they could hardly conceive possible. In the event of a difficulty now occurring with the House of Lords Members of the House of Commons either had to be sent back to the constituencies, or a number of new Peers had to be created; but if this Bill became law, and a difficulty arose with Ireland, these

steps could not be taken. What would have to be done? Why, as he read it, the sole judges in the event of a dispute arising were certain Exchequer Judges, who he held were an absolutely impossible and absolutely inadequate tribunal to refer such a dispute to. Were Irishmen to have the right of nominating their own Ministers, and also to have a controlling voice in the nomination of ours? Were Irish Members, who were not to have a right either to speak or vote on British questions in this House, still to have the right to sit and vote in British Ministries and British Cabinets? If that were so, as the Representative of a British constituency, he should strongly resent this interference of the Irish Members. Under the Bill the Prime Minister was placing the independence of England and Scotland under the power of a herd of Irishmen, and he ventured to say, speaking as a Scotchman, although representing an English constituency, that that was a thing which would powerfully affect the feelings of the Scottish people. If this or some similar measure was intended to become a living Act of Parliament, why should not the Prime Minister, in the first place, appoint a Royal Commission, or some Body of that sort, to consider and report upon the grave Constitutional questions involved? During the General Election—at any rate in many cases, if not universally—the supporters of the Government described the Parliament which it was proposed to establish in Ireland as a subordinate Parliament. Those Members did not know, any more than Members of the Opposition knew, what form the Home Rule Bill would take. He supposed there were half-a-dozen Cabinet Councils held to consider all these proposals, and he supposed, also, that there were conferences with hon. Gentlemen below the Gangway; but, in dealing with such a grave Constitutional matter as this, he thought they should have followed the example of the Washington Government, and have appointed a Commission. There never could be supremacy of the Imperial Parliament if 80, or, as it now appeared, 103, Irish Members were allowed to come over and sit in that House. He believed the result of that policy would be a deadlock. If the Irish Parliament were not a subordinate one

it would bring about a deadlock, and practically become a ruling Parliament over Great Britain. Rather than assent to the proposed Siamese-twin arrangement, by which the two Parliaments would be joined together by an unnatural ligament, would suffer each other's misfortune, and die by each other's dissolution, he would prefer to say to the Irish Members, "Go in peace." This Bill, or anything like it, would be fraught with great danger to the Constitution; and he believed it was necessary for those on the Benches around him, and for certain steadfast and patriotic hon. Gentlemen on the Benches opposite, to do everything in their power to insert words securing the supremacy of the Imperial Parliament, which had been handed down to us for 800 years.

MR. A. J. BALFOUR (Manchester, E.): I do not rise to prolong the Debate, which I think may now with very great advantage be brought to a conclusion. If we have not succeeded in eliciting from the Government their reasons for dissenting from this Amendment, we have, at all events, elicited very clearly the fact that, if they have any arguments at all, they are absolutely unable to give them to us. The only shadow of a ground, so far as I have learned from the single Member of the Government who has condescended to reply or deal with the subject at all—for there has been no reply at all to hon. Members who have spoken from these Benches and from the Benches below the Gangway opposite—the only shadow of an argument that I could detect in the speech of the Prime Minister is that he thinks that if the words were introduced they might hurt the tender susceptibilities of the Irish people. I suppose we must now finally give up all hope of extracting, at this stage of the Bill at all events, any more substantial argument from the Government. It must, therefore, go forth to the British people that the supremacy of the Imperial Parliament, about which so many assurances have been given during the late Election, cannot be embodied in the framework of the Bill, not because it is in itself an objectionable thing, but because the mere statement of supremacy will, as I say, hurt the feelings of gentlemen from Ireland. It is sufficient to thus briefly summarise the speech—the single speech—which has been given to us

from that Bench, and perhaps we might now express our opinion on the Amendment in the Division Lobbies.

MR. BARTLEY [*Cries of "Divide!"*] said, that, as the Mover of the Amendment, he desired to be allowed to say one or two words as to the way in which the Prime Minister referred to him. The right hon. Gentleman had said that he had overstepped the limits of Parliamentary courtesy. He would be very sorry to do that to anyone, and, above all, to one whom they all admired and respected for his great powers; but he thought it a little unreasonable that it should be stated, in connection with such a matter as this Bill, that he had put his Amendment forward because he did not believe in the declaration of the Government. That was not a matter, as it seemed to him, of believing in the declaration of the Government. This was a great Constitutional measure. It was not a sort of confidence trick, in which they were to trust the Government. If he might say so without disrespect, he did not trust the Government at all, and Members on the Opposition side of the House had been saying that for a long time; but this was not a personal matter in any sense, and he did not think the right hon. Gentleman need have been so indignant and have poured out the vials of his wrath on so humble a Member of the House. The Amendment was a substantial one, brought forward with a sense of responsibility, with a view to stating distinctly on the 1st clause of the Bill that the Irish Parliament should be subordinate.

MR. W. E. GLADSTONE: As the hon. Gentleman has frankly said that he did not intend to make any statement in the nature of a personal charge, I beg entirely to withdraw the expression I made use of.

Question put.

The Committee divided:—Ayes 257; Noes 292.—(Division List, No. 74.)

MR. W. REDMOND: I beg to move, in page 1, line 12, to leave out the word "Legislature," and insert the word "Parliament."

\*MR. DARLING (Deptford) desired to ask if it was in Order to move to substitute the word "Parliament" for "Legislature," seeing that the clause would then read—

"On and after the appointed day there shall be in Ireland a Parliament consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly."

But the Queen was not a portion of Parliament at all. She was not a Member of Parliament. She summoned the Parliament, and there made laws by and with the advice of the Lords and Commons in Parliament assembled.

THE CHAIRMAN: I do not think it is necessary to go into the matter. I do not think that the hon. Gentleman is out of Order.

MR. W. REDMOND said, he was obliged to the Chairman for his ruling. He should have thought that the hon. and learned Member (Mr. Darling) would have known enough about the law to be aware of the fact that Parliament was always taken to include the Queen, Lords, and Commons. This was a matter which might seem small to hon. Members at first sight; but he could assure the Government and the Committee that it was a matter in which considerable interest was taken by the Irish people. He himself had received a very great number of communications from various portions of Ireland, advocating the substitution of the word "Parliament" for "Legislature." The right hon. Gentleman the Prime Minister had pointed out very clearly and properly to-day that there was no intention of casting anything in the shape of a slight on the people of Ireland in connection with this Bill. He (Mr. Redmond) did not say that the Irish people would consider the word "Legislature" intended as a slight upon them; but he did say that they would regard the measure with much greater favour if the word "Parliament" were in the Bill, seeing that that word was familiar to them in Irish history. He might be told that in none of the Acts establishing Colonial Parliaments did the word "Parliament" occur. That was true—though, indeed, he believed there was an exception in the case of the Dominion Parliament. The Amendment would not alter the Bill or its powers. It would simply satisfy the widespread sentiment of the Irish people; and, in dealing with a matter of this kind, it would be well to take sentiment into consideration. He did not believe

there was anyone representing a Nationalist constituency who would rise in his place and say that "Legislature" would be preferable to the old word "Parliament." It was for the restoration of a Parliament that the Irish people had longed so passionately, and worked so hard. A great many people in Ireland would accept the Bill much more readily if the word "Parliament" were used in the Bill. He appealed to the Prime Minister whether it would not be possible to accept the Amendment, even though the matter was only one of sentiment?

Amendment proposed, in page 1, line 12, to leave out the word "Legislature," and insert the word "Parliament."—(*Mr. W. Redmond.*)

Question proposed, "That the word 'Legislature' stand part of the Clause."

MR. W. E. GLADSTONE: The hon. Member has stated his case with great clearness and brevity, and it is one of considerable interest. The hon. Gentleman has a precedent for his proposal to which I do not propose that we should conform. The Canada Act says—

"There shall be one Parliament for Canada, consisting of the Queen, the Upper House, styled the Senate, and the House of Commons."

In the face of those words it would be difficult for me to say, what I otherwise should have been inclined to say, that a "Parliament" is complete, and does not include the Queen. I own that it is an infelicitous expression to use "Parliament," as was done in the Canada Act, as the grammatical equivalent to "Legislature," because the form of our Acts is this—that they are assented to and enacted by the Queen upon the advice of three Estates of the Realm represented in the two Houses of Parliament. It is certainly not according to common usage to speak of the Queen as a portion of Parliament. That is my opinion, but that is not a matter in which we are now interested. The whole question we have to consider is whether we shall call those Houses of Legislature a Parliament, as in Canada. I am of opinion that it would be better not to take that course, but to adhere to the words in the Bill. I think that even if the House should be disposed to treat the question as extraneous to Parliament we might provide for that in another way than by calling the two

Houses in Ireland by the name of Parliament. The Canadian case is an exceptional one. I ask myself why it is that the Imperial Parliament has constituted a Parliament for Canada and for nowhere else? Was it intended thereby to say that the Parliament in Canada was to be placed on a higher footing than any other Colonial Parliament? I do not think so. I do not think it was intended to constitute an essential distinction between the Parliament in Canada and the Parliament, say, in New South Wales. There was, however, a practical purpose in view. The Act was intended all through to carry out a double purpose—namely, the establishment of a Parliament for Canada as a whole, and likewise the determination of the form of the Legislative Houses in the Provinces. The common usage is not to use the phrase "Parliament," but to use the phrase "Legislature" or "House of Legislature." In the Canadian Act distinct phraseology was adopted in describing the different Legislative Bodies, in order to prevent confusion. I do not, therefore, think we can use the case of Canada as a precedent, as no analogy exists between the state of things which prevails in Canada and the state of things we propose to set up in Ireland. It would be better, therefore, in my opinion, to use the phraseology of the Bill. I do not think we have affixed any mark of inferiority whatever to the Irish Legislature by the title we have given it. I do not think it would be wise to constitute by an Act of ours any ground for asserting that we object to give an essentially different character to the Parliament in Ireland from the character borne by other Parliaments, because for the purpose for which it is to be constituted it is to be exactly the same, inasmuch as it is to deal with local as distinct from Imperial affairs. That is the purpose for which Colonial Legislatures were constituted; and, that being so, it appears to me that it would be better to avoid ambiguity in matters of this kind, and not to constitute substantially a new precedent, but to adhere to established practice.

MR. A. J. BALFOUR: I do not know that I am disposed very much to disagree with the conclusion at which the right hon. Gentleman has arrived; but I have listened to the reasons he has given

*Mr. W. Redmond*

for that conclusion with the utmost astonishment. I do not propose to go into the dispute as to the accuracy of the words proposed by the hon. Member for Clare (Mr. W. Redmond). For my own part, I should have said that it was quite as fitting to describe Her Majesty as a Member of Parliament as it would be to describe Her as a Member of the Legislature. Even in the case of the Canadian Parliament, I should not have been disposed to admit that the Amendment which has now been brought before us should have been rejected on linguistic or grammatical grounds. Let us compare the argument of the Prime Minister on this question with the argument delivered by the Prime Minister at considerable length on the question which the Committee has just determined. The question of the supremacy of Parliament is, at all events, a substantial question, and the right hon. Gentleman did not, as far as I can make out, profess very different views of the supremacy from those entertained on this side of the House. Yet he refused absolutely to introduce the words we proposed, because he said it would hurt the feelings of the Irish race.

**MR. W. E. GLADSTONE:** That was not my reason.

**MR. A. J. BALFOUR:** As far as I could understand, that was the chief reason given by the right hon. Gentleman. The words used by him were that it would be a bar sinister, that it would be a slight, and that it would be of a disparaging nature. I confess I should have thought that I was not misinterpreting, but was rather minimising, the meaning of those expressions when I said that the right hon. Gentleman's objection to the use of the word "subordinate" was that it would hurt the feelings of gentlemen below the Gangway. Now, when we come to the present Amendment, what becomes of the feelings of hon. Gentlemen below the Gangway? I recollect the speech made by the hon. Member for Waterford (Mr. J. E. Redmond) on the Second Reading. It was, undoubtedly, the ablest speech made in his quarter of the House in defence of this Bill. The hon. Member rested his defence of the Bill on what he called the inalienable and historic right of the Irish people to a Parliament. He said they possessed a Parliament in the last century; that that

Parliament, by not illegal but immoral arts, had been suppressed for nine years; but that that suppression did not break the true and legitimate tradition which he claimed on behalf of the Parliament abolished in 1800. Let me tell the Prime Minister that words mean a great deal, and that if his object is, as he has often told us it is, to give satisfaction to the aspirations of the Irish race, there are, undoubtedly, no greater reasons for rejecting this Amendment than there were for the rejection of the Amendment of the hon. and learned Member for Deptford (Mr. Darling). If the right hon. Gentleman is influenced by sentimental considerations—and I do not use the term offensively—I should have thought there was no more important Amendment on the Notice Paper than this. While, therefore, I am unable to understand the reason why the right hon. Gentleman objects to the Amendment, I can easily state the reasons why I object to it. My reasons are that I do not wish the ancient tradition which the hon. Member for Waterford spoke of to be restored. I do not desire that either Grattan's Parliament or the Parliament which preceded it should be restored; and I mean to propose, or support as far as I can, Amendments to this Bill limiting the sphere of the activity of the new Legislative Body which it is proposed to set up. Though I entirely appreciate the object of the hon. Member for Clare, and if, like him, I desired to revive the ancient tradition of Grattan's Parliament, I should move a similar Amendment, I cannot, under the circumstances, support his proposal. But, taking the other view, if I were to vote with the hon. Member for Clare, it appears to me that though I should not technically preclude myself from voting for other Amendments, I should morally prohibit myself from doing so, because by calling this new Assembly a Parliament I should by implication indicate that I wished to give it all the attributes, all the dignity, and all the importance which we are accustomed to associate with the name of Parliament. I think we shall, undoubtedly, be carrying out a sound policy if we decline to accept the Amendment. Therefore, if the Amendment comes to a Division, I should certainly be found voting against it.



THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): I do not rise to take part in the discussion of this Amendment, but to refer to a statement made by the hon. and learned Member (Mr. Darling) which I do not think ought to go uncontradicted. The statement was that the Queen is not a Member of Parliament. I am not going to make a speech, but I shall read some remarks from the best known authority on the subject. [The right hon. Gentleman then read a passage from *Blackstone*, to the effect that the constituent parts of Parliament are the Sovereign and the three Estates of the Realm—the Lords Spiritual, the Lords Temporal, and the Commons—and that the Sovereign and these three Estates together formed the great corporation or body politic of the Kingdom.] The right hon. Gentleman went on to say: This is a very elementary statement of the subject; but I think the hon. and learned Member for Deptford ought not to make statements like that for which he made himself responsible without having the attention of the House called to the real state of the facts.

MR. J. LOWTHER (Kent, Thanet) thought the Committee was very much indebted to the Chancellor of the Exchequer for having, with the authority which everybody admitted he possessed on this subject, removed a misconception. The main objection to the Amendment before the Committee was that it would assign to the Legislature to be created in Ireland a position of importance which Members on the Opposition side of the House desired under no circumstances to confer upon it. If such a Legislature was to be created, it ought to be as a distinctly subordinate body, and it should not have an appellation conferred upon it which would leave any doubt existing upon the point. He desired that the Statute should indicate clearly that the Imperial Parliament reserved to itself the right, at any moment it thought fit, to resume any legislative power which was to be delegated to the Irish Legislature. That being so, he certainly could not support the Amendment.

MR. MACARTNEY (Antrim, S.) said, one of the most extraordinary things about the Debate was that the interest of Members of the Government was only raised on questions which related to the

merest verbal distinctions. When a question of high policy was raised the Front Bench was absolutely silent; but since the present question had been brought forward two Cabinet Ministers had already taken part in the Debate, and he still hoped the Solicitor General would give the Committee the benefit of his views. The Amendment was valuable as illustrating the action of the Party from Ireland to which the hon. Member for Clare belonged. That Party had arrogated to themselves for a year or two the privilege of defending the National aspirations of the Irish people. Their attitude during the present Debate had been most extraordinary, as that was the first feeble effort they had made to introduce into the Bill a single word which would gratify Irish Nationalist aspirations. The Prime Minister was now going to trample upon them; and he hoped that they would, in reply, justify in a more effective manner the line they had taken up in Ireland. He had always looked upon the hon. Member for Waterford (Mr. J. E. Redmond) as a man of his word, and as a man who intended to carry into action in the House of Commons the grandiloquent phrases by which he had attempted to justify his claim to be the real Leader of the Irish people. But the heavenly twins turned out to be, after all, not real, but simply pasteboard knights. It was evident, however, that the Bill could not effect a final settlement of the question; because, after the statements of the Prime Minister, the hon. Members for Clare and Waterford would be obliged, if they intended to preserve their position in Irish politics, to say that the Government had failed in an essential although a sentimental view of Irish politics, and to maintain their opposition to the Bill. The hon. Member for Longford (Mr. McCarthy) had said nothing about the Amendment, although one would have thought he would have expressed an opinion on one side or the other. Although the Amendment was important, it would have no practical effect whatever. But politics in Ireland were never practical—they were entirely sentimental. As the Government declined to accept the proposal, he (Mr. Macartney) doubted whether the hon. Member for Clare or his friends would dare to go into the Lobby with the Prime Minister again.

MR. CLANCY (Dublin Co., N.) said, the remark which suggested itself to his mind on hearing the speech of the hon. Member who had just sat down was—"In vain is the net spread in sight of any bird." The hon. Member seemed to imagine that those who acted with the hon. Member for East Clare were Tories in disguise. If the Debate went on very long the hon. Member would be undeceived more and more every day on that point. The hon. Gentleman suggested that the Amendment was most important; but he also suggested that it was unimportant. Such a speech suggested the question whether, after all, the minority of Ulster was worth preserving. If they could not produce Gentlemen more representative of the intelligence of Ulster than the hon. Gentlemen and his Colleagues, he thought they had better cease talking about the monopoly of intelligence and education in Ireland. He (Mr. Clancy) had great satisfaction in thinking that the Amendment was opposed by the Leader of the Opposition. The fear he had had was that Members from Ireland would be embarrassed by the right hon. Gentleman's support. The right hon. Gentleman stated that his principal reason for opposing the Amendment was that the use of the word "Parliament" would give to the Legislative Body to be set up in Ireland attributes similar to those which the Parliament at Westminster possessed.

MR. A. J. BALFOUR: No; what I said was that if I assented to the introduction of the word "Parliament," I should be taken as approving the application to Ireland of a word which implied all the attributes possessed by that Parliament.

MR. CLANCY said, that the use of the word "Parliament" would not add, in the least, to the force or power of the Irish Legislature. The effect of adopting the Amendment would simply be to gratify the National sentiment of Ireland, with respect to which the Prime Minister had said nothing in the course of his reply. He (Mr. Clancy) certainly wished the right hon. Gentleman had done so. Inasmuch as the Amendment was intended merely to gratify the National sentiment, it was a matter for regret that the right hon. Gentleman had not seen his way to accept it.

\*MR. DARLING objected to the use of the word "Parliament," because he thought that word would be a very improper one to apply to the Irish Legislative Body; and his notion of the meaning of "Parliament" was derived from a book which dealt with the meaning of the word at a time when Parliaments were expressly got together to be a check upon the Angevin ancestors of the Chancellor of the Exchequer. But it was absurd in this case to say that the Legislature in Ireland would be a Parliament consisting of Her Majesty the Queen, who, he thought, would not go to Ireland at all if this Bill passed—at least he hoped not—and two Houses, the Legislative Council and the Legislative Assembly. What they desired was that whatever was set up in Ireland it should not be a thing which by any possibility could be considered on a level with what existed at Westminster, and was properly called a Parliament. The Irish Representatives were already Members of Parliament, and that ought to satisfy the ambition of the most ambitious. To be a Member of Parliament in one place ought to suffice them; and if they were Members of Parliament at Westminster they could not, by any possibility, be technically Members of Parliament anywhere else. The word "Parliament" was used throughout the Bill, and was taken to mean the Parliament at Westminster. If the Amendment were adopted there would be two Parliaments in the Bill, which would lead to great confusion; and he could not see anything that would better serve the purposes of those who would desire to see the Assembly in Ireland encroaching on the Parliament at Westminster than to have both Bodies called, in the same Act of Parliament, a "Parliament." There would also be great difficulty in knowing which Body was referred to when Parliament was mentioned. ["No!"] Hon. Members said "No;" but he knew when assurances were given in the House how easily they were withdrawn in Room 15.

MR. JOHN REDMOND (Waterford): You suggest the Irish Judges would be fools.

\*MR. DARLING said, he did not know who of the Irish Members might be appointed a Judge, but he had no suggestion to make of any Irish Judge, except that he would be naturally dis-

posed to earn for himself the description of what was called a good Judge—namely, that he would wish by every means in his power to enlarge his jurisdiction. He was sure that if the Irish Assembly were called a Parliament it would do what this Parliament had done—encroach on the rights and privileges of everyone in the realm, until it had all those rights and privileges itself. That was said to be the glorious history of this Parliament, and if the Irish Parliament desired a glorious history it must do what this Parliament had done. He did not desire to put upon the Irish Legislative Body any greater insult than the Prime Minister had put upon them. He did not wish to call them anything worse than the Irish Legislature; but he did not desire to call them anything so high or noble as a Parliament. Therefore, he would accept the designation given to the Irish Legislature by the Prime Minister and vote against the Amendment.

MR. J. PARKER SMITH (Lanark, Partick) said, it seemed to him that the Amendment which was now before the Committee was an example of the evil of uncertainty to which attention was called yesterday in Debate. If they knew exactly what scheme the Government meant to stick to when they got to Clause 9, they would be able to say a great deal better than at present what name it ought to be called by. The proper appellation of the Assembly, or whatever it might be, might be quite different when the Assembly was constituted by no Irish Representatives being here at all, or 103 being here always and for all purposes. It was perfectly obvious, in the latter case, that an Assembly in Ireland would be a much less dignified affair than the other arrangement. But it seemed to him they were bound to go by steps in this matter, and were not allowed to look six inches in front of them. Instead of knowing what were the vital principles of the Bill, what they had to do was to take the Bill as they found it and work consistently with that. Though he had an Amendment on the Paper similar to that of the hon. Member for East Clare (Mr. W. Redmond), he need hardly say he did not wish to see in Ireland either a Parliament or a Legislature established; and he must say, with all deference to the Leader of the Opposition, that he did

not think his supporting the Amendment would, in any way, hamper him in taking any line he thought right, upon subsequent Amendments, to reduce the power of the Irish Legislature. For once, he was willing to take the advice given them last night by the hon. Member for Dumfries (Mr. R. T. Reid), and criticise this Bill from what was consistent with the provisions of the Bill as they stood. It seemed to him, according to the Bill as it stood now, what was proposed to be constituted in Ireland was properly called a Parliament and not merely a Legislative Assembly; and he should like to know—which, to some extent, would be shown by the result of a Division on the Bill—were Irishmen prepared to give up that name—Irish Nationalists, who in the past had made so much of that name—were they prepared to give up this sentiment which they had set so much store by? Distance lent a good deal of enchantment to Grattan's Parliament, and Grattan's Parliament was the ideal of many Nationalists inspirations, and a Parliament on College Green was that for which Irishmen had held out. The precedent that had been given, hitherto, on this matter had been the precedent of Canada, and in regard to Canada the provisions of the North American Act were—

"There must be one Parliament consisting of the Queen, the Upper House or Senate, and a House of Commons, and a Legislature for the different Provinces."

There was a distinction drawn between a Parliament for Canada as a whole and a Legislative Assembly that took the place of various Bodies. The right hon. Gentleman the Prime Minister drew a very ingenious but perfectly unsound course of argument as to the reason for that; he said it was to prevent confusion in the Act between Parliament in regard to the Colonies and this Parliament here; but certainly that was not the view taken in Canada. There the question had been discussed a great deal, and there, after the discussions, they had come to the conclusion, based on very good historical grounds, that "Parliament" was the proper name for such an Assembly as they had there. Here in this country they had not to discuss or consider what a Parliament was. Happily, they were here as a Parliament with no rival before them, but the result

of the historical—the numerous historical—discussions was that Constitutional historians drew a distinction between Assemblies summoned *ad ardua negotia regni* and Assemblies summoned to pass by-laws concerned with details. The real meaning of “Parliament” was, that it was a Council, summoned as the old Councils were, for the difficult business of the realm; and if this Irish Parliament should ever be summoned, it would be summoned for as difficult business as most Parliaments had ever been summoned for. Therefore, it seemed to him, according to the scheme of the Bill, it really ought to be called a Parliament. But there was another precedent. Not only the right hon. Gentleman, but the hon. Member who proposed the Amendment, seemed to be unaware how much more authority they had on their side. In nearly all the Colonies the Legislative Assembly was called a Parliament.

MR. SEXTON (Kerry, N.) asked if the hon. Member could mention any Parliament, except that of Canada, called so in the Statute?

MR. PARKER SMITH said, he would give the hon. Member a reference to which he was just coming to, one that seemed to him to have a bearing on the present course of events—namely, that of Victoria. The Act which gave the Constitution to Victoria, the 18 & 19 Vic., c. 55, provided there should be “one Legislative Council and one Legislative Assembly.” But the next thing that happened was this: The first Act of the Session immediately ensuing upon Victoria obtaining that power—the first thing was “The Legislature of Victoria shall be and is hereby enacted a Parliament.” It was all very well for the right hon. Gentleman to say he did not choose this to be called a Parliament, but he (Mr. Parker Smith) would be very much surprised if one of the first things the Irish Legislature did was not to bring in a Bill by which it would receive the full title of the Irish Parliament. And to quote Mr. Todd, the title of Parliament had been assumed by all the other Colonies where local self-government had been introduced. It was assumed by the Cape Colony; and if it did not occur in the Statutes, it was expressly adopted by the Imperial Government in Despatches issued to the Colony, and a good many marginal notes; and

a curious place where he had found the use of “Parliament,” as applied to Ireland itself, was in the appendix of the authorised version of the speeches of the Prime Minister on the Irish Question, and there he found it called “a free Parliament.” Those were authorities upon which it seemed to him that the use of the word “Parliament” was appropriate. If, as he rather gathered from the interruption of the hon. Member, he was opposed to the use of the word “Parliament,” he would like to ask him whether he was prepared to assent to this being a permanent part of the arrangement; whether hon. Gentlemen would undertake, if they got to Dublin, they would not there do what was done by the Colony of Victoria, and at once assume the larger name?

MR. SEXTON said, the hon. Gentleman was not entitled to draw any inference from what he said. What he asked was whether there was any Assembly, except Canada, where the word “Parliament” had been used?

MR. PARKER SMITH was not surprised at being told he was not to draw an inference. As he could not draw the assurance from the hon. Member, if any Member of the Government had been present he should have liked to have asked whether, taking the lines they did take in regard to this matter, they were prepared to insert amongst the restrictions on the power of this Body—on the power of the Irish Assembly—a restriction that it should not assume the name of Parliament? But he must say it seemed to him that that restriction was one which, if they put it on, it would be impossible to enforce. How could they prevent any body of gentlemen from calling themselves exactly what they pleased? Whatever restriction they might introduce, the Irish Assembly would certainly call themselves a Parliament whatever might happen, and he thought substantially they would be a Parliament. He must say he thought, from the point of view of the Government, it was exceedingly unwise not to make a concession; it seemed to him to be spoiling the ship for a ha’porth of tar. In declining this measure—in refusing to call a spade a spade—the Government were guilty of political cowardice; they were content to do the thing, but did not like to use the name; they

gave hon. Gentlemen opposite the substance of what they were desiring; but, at the same time, in order to be able to speak of it in two voices—to be able to re-assure their English supporters on this matter—they hid from view the name that more than another expressed the truth of the reality. The only reason for this attempt not to use the important name of Parliament seemed to him to show they were attempting to conceal from the country the real effect of their measure. He should support the Amendment.

MR. LABOUCHERE (Northampton) believed that the hon. Gentleman who had just sat down was a Unionist, and, therefore, he was somewhat surprised to hear him advocating that the Legislature in Ireland should be called "a Parliament," but at the end of his speech he discovered why he had done so; it was for the pleasure of telling the Government they were guilty of political cowardice. He somewhat agreed with the conclusions of the hon. Gentleman; he did not see why the term "Parliament" should not be given to that Legislature. After all, what was that Legislature? A Legislature in this case was to be a Legislature and a Legislative Assembly, and that, in the ordinary acceptance of the word, was a Parliament. Speaking as an Englishman, he stood to the idea, "What's in a name?" If it was a question of England, it would be a matter of indifference to him whether this ceased to be called a Parliament tomorrow; but in Ireland they were of a sentimental nature, and looked a great deal to the question of a name. There was no doubt that during this long controversy that had taken place in regard to giving Home Rule to Ireland, they had always spoken about giving a Parliament to Ireland. The Irish people had got it strongly into their heads that what they meant by Home Rule was an Irish Parliament, and he could not see why they should not have it. There were two reasons which would induce him to vote with his hon. Friend opposite. One was that he was perfectly convinced that the vast mass of the Irish people would be greatly gratified were this Home Rule scheme called a Parliament, and the other was that the Leader of the Opposition had declared himself against it. The Leader of the Opposition, though

ready to vote for any Amendment, would vote against this, because it would prevent him advocating certain Amendments of his own. The acceptance of the Amendment would result in a saving of time, and he trusted it would be agreed to.

MR. W. AMBROSE (Middlesex, Harrow) was pleased that on this occasion he should be able to support the Prime Minister. He sympathised with the hon. Member for East Clare (Mr. W. Redmond) in his desire to have the word "Parliament" introduced, because that hon. Member, and some others who had been acting with him, had most zealously, industriously, and bravely been fighting for the achievement of what they called a National Parliament. Many of the funds remitted from America had been sent on the faith that they were for the purpose of achieving a National Parliament, and they knew that they regarded a National Parliament as giving the plant of an armed revolution. He therefore sympathised with the hon. Member for East Clare when, instead of getting a National Parliament, he got only a Legislative Assembly, which would figure and appear something like the London County Council. He sympathised with the Prime Minister also, and was very pleased to find in this matter he could agree with the right hon. Gentleman. He did not agree with the hon. Member for Northampton when he said "What's in a name"? There was a great deal in a name. He recollected that when the conversion of the old Law Courts into the High Court was proposed, the late Sir Alexander Cockburn wrote a tract upon it, in which he animadverted upon the proposed change, as it affected the Court of Queen's Bench, and said—

"There is everything in a name. There is all the prestige of the Court of Queen's Bench." He was right, and in the end it resulted in the name of the Queen's Bench being preserved. He (Mr. Ambrose) said there was everything in a name. The name of Parliament at once represented a nation. It was an indication, and it spoke to the fact that the people who assembled and who were represented were in themselves a nation. Therefore, he quite sympathised with the views of the hon. Member for East Clare. That hon. Member desired that Ireland was to be a nation, and if Ireland was to be a nation Ireland should

have a Parliament. That was the true principle. But he (Mr. Ambrose) did not desire that Ireland should be a nation—that was to say, not a separate nation. He desired that Ireland should be maintained as an integral part of the United Kingdom; that Ireland should not have the plant of an armed revolution. It was really a most important matter, because if they had an Irish Legislative Assembly or this so-called Irish Parliament really governing Ireland, even within the narrow limits indicated by the provisions in the 2nd, 3rd, and 4th clauses of the Bill, they might readily have questions arising between the National Assembly or the Local Parliament and the Imperial Parliament. Suppose the questions did arise, a quarrel ensued, and that force were resorted to. It seemed to him the Bill contemplated—and that was the only security he could see for the supremacy of the United Kingdom—an ultimate resort to force. If that were so, and if they gave the Irish Legislature the name of "Parliament," if there were to be a rebellion they could collect their forces, they would acquire belligerent rights all over the world. They would be recognised as the Representatives of a nation, and no nation could refuse to the Parliament of Ireland the recognition of belligerent rights; whereas with the name of a mere Legislative Assembly, it would stand upon the footing of our County Councils, and would neither command the confidence of the people of Ireland to the same extent nor the sympathies of their friends in America and among the other nations of Europe. Exactly on the same ground as he desired to have the word "subordinate" introduced into the Bill as required by the last Amendment, he should resist the present Amendment. It was a matter of prestige of reputation and of influence, and he should vote against this Amendment.

MR. MACFARLANE (Argyll) had listened with some amazement to the hon. and learned Gentleman (Mr. Ambrose), who, whilst he wished to extend the influence of this Irish Parliament to which he was so much opposed, proposed to vote for the insertion of the word "Parliament."

MR. AMBROSE: I propose to oppose it, and that was the whole tenour of my observations.

MR. MACFARLANE had misunderstood the hon. Gentleman. One argument the hon. Member had used he did not think much of. He had told them that the late Sir Alexander Cockburn had written a pamphlet to prove it would be to the serious detriment of the administration of justice in this country if the old-fashioned Law Courts were called the High Court of Justice. He would ask the hon. Gentleman, who was a member of the legal profession himself, if that result had followed?

MR. AMBROSE: I expressly mentioned that, in deference to Sir Alexander Cockburn, the name of Queen's Bench—the old name—was retained.

MR. MACFARLANE said, that was so, but the Courts were all embraced under the one title of High Court, and he understood the hon. and learned Member to produce this as a precedent against any change of name here. But a change of name did occur here in calling this a Legislature instead of a Parliament, because the old Irish Legislature was a Parliament. For his part, he did not see any very material difference. He did not see any material question, and he did not think hon. Members from Ireland pressed the point. [Mr. W. REDMOND: We do.] At any rate, he did not think it was a matter which would interfere with the supremacy of this Parliament, which was the only point they had to consider. It would have neither influence on the supremacy of this Parliament, or on the subordinate Parliament, and, for his part, he was indifferent which word was used.

MR. FISHER (Fulham) was afraid that the hon. Gentleman who had just spoken did not understand anybody. He had misunderstood his hon. and learned Friend, and he had entirely misapprehended the opinions of his own friends the Irish Representatives, who sat below the Gangway. For his part, he entirely sympathised with the views of the latter hon. Members. He could not understand

the position of hon. and right hon. Gentlemen opposite. They seemed to him to be straining at a gnat, whilst they swallowed a camel. They swallowed the whole subordinate camel, whilst they strained at this subordinate gnat. If they professed to trust the Irish people with all these powers, they should also satisfy their proper sentimental objection to having their Parliament called a Legislature, whilst the Imperial Parliament was called a Parliament. He was rather prepared to support the Amendment, but the speech of the Prime Minister had entirely changed his vote. They were asked what, after all, was there in a name? He recollected the case of the Borough of Slough. The inhabitants thought the Borough of Slough was becoming unpopular as a place of residence, and so they proposed to change the name to Upton Royal. Somebody went to the meeting and asked, "What's in a name?" but the people saw a great deal in a name in that case. Without desiring to insult hon. Members below the Gangway, he should desire to adhere to the name Legislature after the speech of the Prime Minister, because he had told them there was a great deal in this name. He told them that if they called this a Legislature they were going to set up a Parliament. Irishmen would imagine they were to have much larger and extended powers than were given to any Colonial Legislature. Until he heard that speech he thought that as they were going to pass this Bill they might just as well allow the Assembly to be set up in Ireland to be called a Parliament. He held the opposite view altogether as to the merits of this proposal. He should move in Committee to limit the powers given under Clauses 3 and 4; and if he did not wish to limit them, he should vote for this Amendment, and call this Irish Legislature a Parliament. He held that hon. Gentlemen opposite, who wished to give this Parliament the enormous powers contained in this Bill, ought in consistency to call it by the name of Parliament, which was the proper name for any Body that was to exercise the powers contained in this Bill. But as he wished to limit those powers he should vote for giving that Body such a name as to signify that he wished it to be a kind of

*Mr. Fisher*

glorified County Council, a Body which dealt with gas and water, so as to carry out the pledges made in the Rossendale Election by the Liberal candidate for that constituency—backed up by the right hon. Member for Wolverhampton (Mr. H. H. Fowler)—who persuaded the electors that the Parliament to be given to Ireland would be a subordinate Parliament with very limited powers, chiefly restricted to dealing with gas and water. He congratulated hon. Members below the Gangway on the position they had taken up that night. They had voted against every single Amendment which had gone in the direction of dubbing their Parliament a subordinate Parliament, and now they had joined to that negative their positive attitude of claiming for the Assembly that was going to be set up in Dublin the name of Parliament, thereby for all time giving evidence that it was their intention to claim for this Body which they were setting up the possession of powers co-ordinate and not subordinate to the present Parliament. He was surprised at the ridiculous position which hon. and right hon. Gentlemen opposite had taken up in that matter, and he really would support the argument of the Member for East Clare (Mr. W. Redmond)—though not by his vote—and ask them to be a little consistent in this matter, and whilst willing to give the Irish people *de facto* powers, also to humour their natural and proper sentiment, and give them the name they desired for themselves.

MR. STOREY (Sunderland) said, they were in a position in this Parliament they never were in before. An hon. Member had just spoken. He had spoken against an Amendment, and he said he was against it because the Prime Minister was against it, and the great majority of Members on that (the Liberal) side were against it. That being so, the two sides being perfectly agreed, might he ask the hon. Member why he wasted the time of the House? If he had intended to vote for the Amendment he could have understood it; but if the hon. Member's only object was to spend a little time, then he must come to the conclusion that, what-

ever other men might be, the hon. Member was not a serious politician. The hon. Member was not a Conservative politician, because the proud boast of the Conservatives in this country had been, amongst others, that by their speeches, their votes, and their conduct they had dignified that Imperial House; and the hon. Member's way of adding to the dignity of debate and efficiency of Parliament, when he was against a proposal which most of them were against, was to spend time in irrelevant trivialities. He (Mr. Storey) was one of those who would gladly vote for calling this House a Parliament, or anything else. It did matter to him what they called the thing. What he wanted to know was, What was the thing? The thing was this: It was a Body elected by the people which should control the local affairs of Ireland without interference from the Imperial Parliament; and that being the thing, he did not trouble his head about what they called it. If his hon. Friend who moved the Amendment would prefer the term "Parliament," he also had no objection to say he preferred it. He found this was the position of affairs in the House—that the great majority of the Liberal Party were prepared to vote the thing with a certain name. The great majority of the Tory Party, upon the advice of their Leader, for other reasons were still prepared to adopt the name, and therefore they had three-fourths of the Members of the House who were prepared to adopt the name. And then he came to his friends from Ireland. What was their position? He had known them a great many years. He stood by their side in days when it was not the fashion of hon. Members opposite (the Opposition) to speak so respectfully of them as they were compelled to do now.

MR. T. W. RUSSELL: Nor on these (the Liberal) Benches.

MR. STOREY said, suppose they admitted that? His point was this: These hon. Members had compelled from both sides of the House attention to their views; and those hon. Members who had thus gone through the valley of humiliation and trouble year after year, until they had come into a triumphant

position in that House and could command attention, he always knew to be men of sound sense who looked at the main point, and did not trouble themselves about trivialities. If he interpreted their view on this little matter it was this: that the House might call the thing by what name they liked. [Mr. W. REDMOND: "No, no."] His hon. Friend was not as accurate as he usually was. He wanted to distinguish between the hon. Member who had taken up a position behind the Tory Party and the hon. Members below the Gangway.

MR. W. REDMOND: I am not the slave of the Liberal Party.

MR. STOREY said, no, he must do the hon. Member the justice to say he never was the slave of any Party; but it was possible for a man, without being that and without knowing it, to be the cat's-paw of a Party. He would ask hon. Members from Ireland, below the Gangway, were they content to accept the Assembly under whatever name it was called? If they were, he was prepared to join with them, and to vote for the measure as it stood. The Liberal Party and the Tory Party were both agreed, but for different reasons, that "Legislature" was the proper word; and the Irish Members, speaking for their country, said they were content to take the measure with the word "Legislature" in it. [An hon. MEMBER: They have not spoken.] His hon. Friend behind him said they had not spoken yet, and he had no doubt the hon. Member would be very glad if everyone of them would get up and speak. But in that House they spoke in two ways: articulately sometimes and inarticulately, and by their votes, and other of his hon. Friends, though inarticulately, had intimated that they were content to accept this word "Legislature." That being so, what were they wasting the time of the House for? He was prepared, as an English Radical, to vote for this particular word "Legislature" and to vote against the word "Parliament," because he well knew that under whatever name they might chose to describe it when the Irish got the Bill and got the



Assembly, it would be the Parliament of the Irish people.

MR. V. GIBBS (Herts, St. Alban's) commented on the fact that the hon. Member who had last spoken had complained of another hon. Member wasting the time of the House and had then proceeded to take precisely the same course which he criticised another for taking. The hon. Member (Mr. Storey) had also made reference to the hon. Member, perhaps he might say his hon. Friend, the hon. Member for East Clare (Mr. W. Redmond). Till the hon. Member asked him to withdraw the term "hon. Friend" he should not do so. He was entirely and absolutely opposed to the hon. Member for East Clare, who had done him the honour of interrupting him several times when he disapproved of his observations, but he did not see why the hon. Member should be represented by hon. Members opposite as being in any way connected with them (the Opposition) because he sat on those Benches. The House seemed to him entirely disarranged because of hon. Gentlemen sitting on one side and voting on the other. He did not see, therefore, why they should object to any isolated case that occurred.

Mr. Philip Stanhope rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. V. GIBBS said, he opposed the Amendment of the hon. Member for East Clare (Mr. W. Redmond), for he could not help feeling that the substitution of the word "Parliament" for "Legislature" was only another step towards establishing still more firmly in the eyes of the Irish people the independence of the Irish Legislature, of the Imperial Parliament, which they on that side of the House would never agree to.

MR. JOHN E. REDMOND (Waterford, City) said, he was one of those who thought that the Debate on this Amendment should not be prolonged very much.

*Mr. Storey*

But he was not disposed to agree that the matter was as trivial a one as it had been described to be by some hon. Members who had taken part in the discussion. He had listened, as it was his duty and his pleasure to listen, with the greatest attention to the speech made by the Prime Minister, and he had also listened to the speech made by the right hon. Gentleman earlier in the evening—a speech which was still ringing in his ears. Considering the sympathy for Ireland and Irish aspirations with which the first speech was imbued, he confessed to the disappointment which he felt at the second one. This Amendment, if carried, could not affect in any way the status or privileges of either the Imperial or the Irish Parliament. The Imperial Parliament would remain in possession of the same full and unimpaired supremacy. The Irish Assembly—call it what they would for the moment—would not have its powers increased or extended in the smallest degree. But there could be no question at all that in the word "Parliament" there was more to sensitive feelings of the Irish people—more comprehended—than in the word "Legislature." An hon. Member had said that this Amendment was intended to prolong and perpetuate the tradition of Grattan's Parliament. If by that it was conveyed that they intended to transform the new Assembly into an Assembly governed by analogy in principle with Grattan's Parliament, the hon. Member was utterly wrong; but if he meant that this was to be an expression of the desire of the Irish people in their future Government to perpetuate the tradition they had cherished for so long of the old Irish Parliament, then the hon. Member was right. By showing respect to that tradition they could not in the remotest degree weaken the power of England, and it was a respect which he claimed from every hon. Member who supported the Bill. He had listened to the speech of the hon. Member for Sunderland (Mr. Storey) with great interest. He remembered with the keenest gratitude that, as he had said that evening, he was on the side of Ireland when Ireland had few friends on either side of the House. The hon. Member expressed his preference for the word "Parliament" over "Legislature,"

or as against it; and if that were his preference, he claimed the hon. Member's vote on this occasion. His argument was fallacious. He said that there were certain preferences for names on different sides of the House, and then he said that the Irish Members had a certain preference for the Bill as it stood, and in favour of the name already given. Well, he (Mr. Redmond) was not going to pretend that he spoke in the name of the great body of the Nationalist Representatives of Ireland. He made no claim to that, but he did not hesitate to express his opinion that no Nationalist Member would rise in that House and say that the mass of the Irish people preferred the word "Legislature" to the word "Parliament." This was in one sense a small matter; but they were in Committee discussing the Bill, and he thought it was a matter that ought to command the sympathy and respectful attention of the gentlemen who were Home Rulers in the House. They were only at the commencement of the Committee stage. It had been noticed by the House that the Irish Nationalists had placed very few Amendments indeed on the Notice Paper; and he thought it might be taken for granted by those who had brought the Bill forward that no section of Irish Nationalists would play into the hands of the deadly enemies of the measure either by prolonging discussion or by profitless discussion on trivial points. There were some Irish Nationalists in the House who, speaking for a great body of electors and non-electors in their country, did not believe this was such a trivial matter as it was represented to be. He put the claim on the ground of patriotism, believing that a large section of Irish Nationalists would take it as a gratification and as a most welcome concession if the Prime Minister were to act in the spirit of the speech which he made early in the evening. He had listened to that speech with the greatest pride and gratitude. What they asked for could not, as he had said, lead to any curtailment of the rights of the Imperial Parliament or any extension of the rights of the Irish Parliament. To agree to the Amendment would be a small concession to a sentiment—a sentiment that no man living knew better than the Prime Minister.

It was a wholesome and a healthy sentiment which ought to be cultivated, which would continue to live, and which would inevitably be apparent—upon which would depend the success or failure of the government of Ireland by the Body they sought to create. He most respectfully asked the Government and the Prime Minister to adopt a more conciliatory attitude. He was securing no value to his own country by adhering to his present position; by yielding he would be making a concession which would be most valuable, and which would be received with gratitude, and which, granted as it would be at the commencement of the Committee proceedings, would augur well for the future progress of the Bill.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I can assure my hon. and learned Friend that the Government sympathise with the sentiment to which he has given expression. We agree that there ought to be the least possible curtailment of concession in matters obstructing or impeding the flow of wholesome and healthy National sentiment. I have never doubted that the foundation of the case for Home Rule is that we should provide a Constitutional Organisation through which that wholesome and healthy National sentiment could find expression. But, in considering this Amendment, we have to look at all the circumstances that surround it, and those circumstances are well-known, not only to my hon. Friend and the Mover of the Amendment, but to all hon. Members, wherever they might sit, who desire the success of the Bill. The hon. Gentleman has admitted that this change of name from "Legislature" to "Parliament" would not concede one single atom of power to an Irish Government, or alter the powers and prerogatives to this Parliament. It is clear, therefore, that this difference of opinion arises on no point of substance in the argument now being carried on. There is no point of substance or power lost to an Irish Legislature or Executive by calling it "Legislature" instead of "Parliament." The Government have to survey the whole range of circumstances that

affect the reception of the Bill. In order to satisfy a sentiment which I thoroughly respect, and which I should desire to satisfy even in matters of nomenclature alone, but not to gain anything substantial either in prerogative or privilege, the Government are asked to awaken jealousies and to arouse susceptibilities which would undoubtedly make the progress of our policy more difficult. [*Opposition cheers.*] Hon. Gentlemen sitting opposite, as they show by their demonstrations of opinion, do not understand the realities of the Irish Question. I will undertake to say that, with the exception of a few hon. Gentlemen whom I saw sitting on the Front Bench opposite—hon. Gentlemen there know nothing whatever about the matter, and I can say that I have never seen at Question time—[*Cries of "Oh!"*—]—or upon Motions for Adjournment, or in any other part of the Proceedings of the House, any indication that those hon. Gentlemen have a real knowledge of what the right hon. Member for Bodmin (Mr. Courtney) calls the real facts of Irish life as contradistinguished from Parliamentary life. But I will return to the argument. The point is: whether, for the satisfaction of a sentiment which those on the Government side of the House respect, you are going, without any substantial gain in any point, to arouse jealousies and susceptibilities which, however unreasonable and foundationless they may be, would still interfere with the progress of the policy which would really concede to Ireland all those claims which her Representatives now demand. I would point out to hon. Gentlemen like the hon. and learned Member who has just spoken that the word "Parliament" in Irish history, except from the point of view of Nationality—and I cordially recognise its importance from that point of view—the word "Parliament" does not convey the idea of a Legislative Body with anything like the powers which the Legislature constituted under this Bill will possess. Who in this House does not know that throughout the whole of the 18th century, until 1782, the Irish Parliament worked under the fetters of the famous Poyning's Act? That law enacted that no Bill should be brought before the Irish Parliament until it had received the sanction—first, of the Irish

Privy Council, and then of the Privy Council in London. The Legislature that is now proposed to be established will be under no such fetters. Then there was Grattan's Parliament; but will anybody contend that Grattan's Parliament gave the Irish people such control over their own laws and destinies as this Bill gave to them?

LORD R. CHURCHILL (Paddington, S.): What about the franchise of that day?

MR. J. MORLEY: The franchise of that day! What has the franchise to do with it? The noble Lord, unlike hon. Gentlemen behind him, really knows a great deal about Irish history, and I was quite astonished that the noble Lord should have fastened upon the point of the franchise as a point of difference between Grattan's Parliament and the Legislature now proposed to be constituted. Has he forgotten that under Grattan's Parliament Ministers were nominated and appointed, not by that Body, but by the British Ministers, and that they spoke and acted under the control and direction of the British Ministers, and that the Executive was to all intents and purposes a British Executive?

LORD R. CHURCHILL: No.

MR. J. MORLEY: Well, I will refer the noble Lord to a book with which, no doubt, he is well acquainted—Dr. Ball's book upon *The Irish Legislative Assemblies*, and he will find there that under Grattan's Parliament the Executive was not what the Bill proposed to constitute—namely, an Executive responsible to the Irish Legislative Body—but an Executive appointed by and entirely responsible to British Ministers.

LORD R. CHURCHILL: The condition referred to was that Irish Ministers, though appointed by the sanction of British Ministers, took the side of the Irish Parliament.

MR. J. MORLEY: I entirely doubted that, and I will submit this proposition on the authority of the former Lord Chancellor of Ireland (Dr. Ball), that the Irish Ministers spoke and acted

*Mr. J. Morley*

under the control of the British Ministers and went out of Office, not when they got a hostile vote from the Irish Chamber, but when the British Ministers disapproved. I will not, however, prolong the controversy; but I will challenge the noble Lord to meet me now or any period on that point. I submit to my hon. Friend that, in pressing this Amendment, he is pressing for language which would represent a sentiment that would convey erroneous ideas as to the true policy of this Bill, and in agreeing with him we should be possibly sacrificing the substance for something that was not far from being the shadow.

SIR E. CLARKE (Plymouth): The hon. and learned Member for Waterford has put forward the first claim that, so far as I know, has been made on behalf of the Representatives of Ireland with respect to this Bill. He has claimed that the word "Legislature" should be struck out, and the word "Parliament" put in; and the Committee has heard from the Chief Secretary, following the Prime Minister, why it is that the Government are not prepared on this point to yield to the sentiments of the Irish Members. The Chief Secretary has said that the reason why the alteration is not accepted is that it would arouse jealousies and susceptibilities—

MR. J. MORLEY: The reasons for not accepting it were explained fully by the Prime Minister, and my speech was intended to supplement that speech.

SIR E. CLARKE: I, of course, accept the statement of the Chief Secretary that his reasons must be taken in connection with, and supplementary to, the reasons given by the Prime Minister. As to the reasons given as his own by the Chief Secretary why the Nationalist Members should not go to a Division upon this point, it is desirable that those reasons should be examined. The right hon. Gentleman said that to alter the words would be to arouse jealousies and susceptibilities. Whose jealousies and susceptibilities? In 1886, as in 1893, the cardinal proposition and the whole centre and scope of the Bill was to establish in Ireland a Parliament

with an Executive responsible to that Parliament. Why is it that the Ministry has banished the word "Parliament" from every part of the Bill, and that they everywhere speak of Acts of Parliament as distinguished from Irish Acts? Why is there this careful abandonment of the idea of a Parliament? Is it historical, or is it because of Parliamentary convenience and of the necessities of the case? I do not think that the historical reason is a good one. I agree that up to 1782 the Parliament of Ireland, as it is called, was limited and controlled in such a fashion that it did not represent what we now take to be a Parliament, and I remember that in 1886 I exposed myself to the anger of hon. Members below the Gangway, because I said that up to 1782 Ireland practically had no Parliament at all. I do not call that a Parliament which requires to have every part of its work initiated by a power outside itself, and which could carry no measure into law without the concurrence of the officials of another country. But when Grattan's Parliament was established, surely the right hon. Gentleman has not forgotten the claims which Grattan made for his Parliament, and that memorable speech in which Grattan congratulated the Parliament of Ireland upon the triumph they had won. There were five points which Grattan enumerated in that great speech as the claims which he made and obtained on behalf of the Irish nation as privileges belonging to their Parliament—and not one of those privileges is given by the present Bill. I cannot enumerate them all just now; but you remember, I am sure, that one was to get rid of the perpetual Mutiny Bill, and another was to get rid of the appeal to the Privy Council in England. What I want to point out is this. I think the Government are right in calling the Body they propose to set up a Legislature, and not a Parliament, and I hope that we shall support them in that, because this body you are about to establish has not one of the five privileges which Grattan asserted for the Irish Parliament. It is limited and controlled in every direction; and we hope to be able to limit and control it still further. We agree with the Government, and will vote for them on this occasion, precisely because, if we were once to accept the

word "Parliament," we should be accepting that which we believe it would be our duty never to establish in Ireland,—a Body having in itself the constituent parts, the faculties, and the power of a Legislative Assembly such as is generally understood. We should put it out of the power of Parliament to limit to any important extent the powers of this Body. But I come back to this point about the jealousies and susceptibilities, and I cannot understand what the right hon. Gentleman the Chief Secretary has put before us. On that point I press one question—Whose jealousies and susceptibilities is it that, by calling this a Legislature instead of a Parliament, you will appease? There must be some object who is susceptible. The Irish Members I can quite understand are, or ought to be, susceptible in this matter. They want a Parliament, and they will doubt the goodwill of the Government when they decline to give to the Body they wish to establish the traditional designation. But the Chief Secretary for Ireland says that the Opposition do not understand what these jealousies and susceptibilities are, because—and this is a curious phrase—we do not understand "the realities of the Irish situation." Does that mean the Irish situation in Ireland, or the Irish situation in this House? It is possible that some of us do not properly understand the Irish situation in Ireland; but there are on this Front Opposition Bench hon. Gentlemen who, by their own responsibility in Ireland and by their own administration of affairs in Ireland, probably know almost as much about the Irish situation in Ireland as the Chief Secretary himself. I do not think that it is the Irish situation in Ireland that we do not know, but the Irish situation in the House. We are hoping, patiently hoping, to be able, at some time or other, to pierce the gloom in this matter, and to be able to see through the relations which are supposed now to exist between the Irish Party and the Government. The right hon. Gentleman gave a hint to his Irish friends, and suggested that they should not divide. It is possible that they will take that hint and obey that suggestion, and will not embarrass the Government at this point in the discussion. It will be very interesting to see how many of them will

have the courage in this House to stand by the declarations they have made outside, and to claim for the Irish people that they shall have a Parliament. We have given fair warning why it is we mean to vote against the Amendment. It is for this reason—that if we can prevent them from calling this a Parliament we shall conceive ourselves able, and shall try to limit in every direction the scope and the action of the Body in Ireland, so as to make it, in our view, even supposing the Bill should pass, as little harmful to the interests of this country as may possibly be. Probably the Irish Members will not approve of these reasons. It will probably induce them at the last moment to give way, and not to exhibit their weakness in the matter. At any rate, there is no ambiguity in our action; and we shall listen with curiosity to hear, on the later stages of the discussion, the explanations as to jealousies and susceptibilities which make at this moment the Government so anxious.

Mr. William Redmond rose in his place and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

LORD R. CHURCHILL: As to the nature of Grattan's Parliament, and the substantial difference between that Parliament and the Legislature which the Bill proposes to constitute, may I read an extract from *The Irish Legislative Assemblies* of Dr. John Ball—

"Grattan at once rose to congratulate the House of Commons and the people of Ireland upon their recovered freedom, and to announce in the name of the nation the terms which were demanded in order to satisfy its requirements. These terms were:—(1) Repeal of the perpetual Mutiny Bill and dependence of the Irish Army on the Irish Parliament; (2) the abolition of the legislative power of the Council; (3) the abrogation of the claim of England to make laws for Ireland; (4) the exclusion of the English House of Peers and of the English King's Bench from any judicial authority in Ireland; (5) the restoration of the Irish Peers to their final judicature—the independence of the Irish Parliament in its sole and exclusive Legislature."

In a foot-note Dr. Ball added—

"The speech regards the claim of the British Parliament to legislate for Ireland as withdrawn 'by operation of treaty, not of mere grace and condescension,' and the withdrawal as being,

*Sir E. Clarke*

therefore, irrevocable. 'England and Ireland,' Grattan says, 'treat as *ex æquo*.' Substantially Grattan's terms were afterwards conceded."

**MR. J. MORLEY :** The noble Lord has read out something which has absolutely no bearing whatever on the point of controversy. I was arguing that Grattan's Parliament did not receive the powers which this Bill will confer in a most vital respect—namely, the Executive. I referred the noble Lord to a certain volume, and I will read the passage he ought to have read to himself. This was the passage the noble Lord ought to have read to himself—

"When the legislation of this period is considered it is to be kept in mind that it did not extend to the administrative or executive departments of government in Ireland. The Irish Ministers were, and continued to be, appointed and liable to removal by the British Ministers, and spoke and acted subject to their control and direction. An adverse vote, even a Vote of Censure, of the Irish House of Commons did not necessarily remove the former from Office, while an adverse vote of the British House of Commons, if it led to the resignation of the British Ministers, was in most instances followed by the resignation of the Irish."

Mr. William Redmond rose in his place, and claimed to move "That the Question be now put"; but the Chairman again withheld his assent, and declined to put that Question.

Debate resumed.

**MR. J. CHAMBERLAIN :** I am not going to keep the Committee from a Division, and I have no intention of taking part in the interesting discussion which has been going on, and which I think may be designated as "tossing the ball across the Table." But I rise to say that the speech of the right hon. Gentleman the Chief Secretary throws a very interesting light upon the policy of Her Majesty's Government with reference to the proceedings under this Bill. The Chief Secretary has told us that the Government sympathise with the national sentiment which is expressed in this Amendment, and thereupon they are going to vote against it. At an earlier period of the evening my right hon. Friend the Prime Minister appeared to sympathise with, and expressed his concurrence in, the views of those who

desire that this Parliament in Ireland shall be a subordinate Legislature, and thereupon the Government voted against the insertion of words in the Bill to carry out that view. And so it goes on. It appears to me to be the policy of the Government that whenever they have in their inmost mind a clear conviction of a policy they vote against its expression in the Bill itself. I have only to say as to the Amendment before the Committee that I entirely concur in what has been said by the hon. and learned Gentleman the Member for Plymouth and the hon. Member for the Partick Division. The latter has truly said that under the Bill the Legislature in Dublin will be a Parliament with practically all the powers of a Parliament, and is desirous that a spade should be called a spade, that what is a Parliament in fact should be called a Parliament in name. But I must remind the hon. Member that we have not passed the Bill at present. The hon. Member for Dumfries has complained that the Opposition are not, apparently, inclined to join him and his hon. Friends in amending the Bill. That is an entire mistake. We are prepared to amend the Bill, and if we can only succeed in amending it according to our desires I am quite sure that after that proceeding has been completed no one in the House will pretend to call the body which will be created in Dublin a Parliament. I think that, under these circumstances, it would be premature to anticipate the discussion by accepting the present Amendment. I am hopeful of making converts in the course of the lengthy discussions that are about to take place; and, in the meantime, I should much prefer that this Parliament should be called a Legislature until we have settled whether it shall be a Parliament, a Legislature, or a Council.

Question put.

The Committee divided :—Ayes 466 ; Noes 40.—(Division List, No. 75.)

\***MR. T. W. RUSSELL** begged to move the next Amendment, to omit the words "and of two Houses, the Legislative Council," the effect of which would be to withdraw from the Bill the provision for setting up a Second Chamber. They had to regard this in the light of

the fact, in the first place, that the Bill was proposed by a Government a large number of whom did not believe in a Second Chamber at all. That was certain, as far as the Home Secretary and the Chief Secretary for Ireland were concerned. He was forced to the conclusion, therefore, that the Government had inserted the Second Chamber in the Bill, not because they approved of it, but from the standpoint of its being a safeguard for the minority of the Irish people. A Second Chamber might be defended on the plea of revision, or on the ground that it insured delay in all doubtful legislation. Now, whatever claim a Second Chamber might have in theory, nobody imagined that the proposed Chamber could claim to be co-ordinate with the Representatives of the people directly elected to express the people's views. The Second Chamber proposed by the Bill did not seem to be proposed either for the purpose of revision or delaying doubtful legislation. It was sought to be created expressly to protect the Irish minority; and the question arose whether the protection afforded by the Chamber was a real or a sham protection, and on that question he proposed to join issue with the Government to-night. This brought him to the actual proposal of the Bill. The same idea was in the Bill of 1886, but expressed in different words. It was then proposed to establish separate Orders sitting and voting in the one Chamber. That idea was not original, as it had a place in the Constitution of the Irish Episcopal Church. But that idea apparently had been given up, and in this Bill they were to have two Chambers, one with 103 elected Members, and the other with 48 Members, elected on the restricted franchise of over £20 valuation. Now, he had looked very carefully into the Schedule under which the 48 Members of the Legislative Council were to be elected, and he was of opinion that the Unionist Party would not secure more than 20 votes. They would probably secure three in Antrim, two in the Borough of Belfast, one in County Carlow, one in County Cavan, one in the City of Cork, one in County Donegal, three in County Down, two in County Dublin, one in Fermanagh, one in Lon-

*Mr. T. W. Russell*

donderry, one in County Monaghan, one in County Tyrone, and one in County Wicklow. They were met by the argument that they ought not to look upon the Irish Legislature as consisting of two Parties — Unionists and Nationalists. They were constantly being told that the Irish Parliament would be split up into fragments, and that the Unionists would govern the whole thing. They were told that the hon. Member for North-East Cork would probably lead a Socialistic wing of the Irish Party. He supposed that the hon. Member for North Louth (Mr. T. M. Healy) might be taken as representing the clerical wing of the Party. Probably the hon. Member for North Kerry (Mr. Sexton) would lead the Conservatives, and someone else would look after the interests of the Party of Plunder. Everyone knew that this was the kind of argument put forward almost every day on public platforms; but it was an argument which ignored the governing fact that Ireland was not a country of cities or towns. There were only 16 Members out of the 103 Representatives of Ireland who sat for urban constituencies. The remainder were elected solely by small tenant farmers. He believed, therefore, that the only Parties that would come to the front in an Irish Parliament would be one composed of agrarian Members. There would, under these circumstances, be no room for the differences that the Gladstonian Party frequently asserted would take place. He asked the Committee to look at the electorate and who would compose it.

**MR. J. MORLEY :** I am extremely sorry to interrupt the hon. Member, but I rise to a point of Order. I wish to know, Mr. Mellor, whether it is right upon this Amendment to discuss the composition of the Chamber and the electorate? Is not that a question that will come up on a later clause?

**MR. A. J. BALFOUR :** On the point of Order, Mr. Mellor, may I venture to point out to you before you give your ruling that the words of the clause are "the Legislative Council and the Legislative Assembly," distinctly implying that the Legislative Council contemplated is the one afterwards provided?

Therefore it is impossible to discuss the propriety of the Amendment without keeping in view what the Legislative Council as provided in the Bill can be.

**THE CHAIRMAN :** I think it is impossible to discuss the expediency of a Legislative Council without considering what its composition is to be. At the same time, it is very undesirable to anticipate the discussion of another clause in the Bill. All I can say now is that I think it is quite in Order to refer to the composition of the Legislative Council.

\***MR. T. W. RUSSELL** said, he was arguing the question from the safeguard standpoint; and unless he could show that the Legislative Council proposed in the Bill was not likely to be a proper safeguard, he did not see that there was any necessity for moving an Amendment at all upon the point. He was extremely sorry that the right hon. Gentleman should have intervened in a matter of that kind, as he (Mr. Russell) did not usually make long speeches and was very seldom ruled out of Order. He must ask the Committee, with reference to the question of the Second Chamber being a safeguard, to consider the character of the electorate. The qualification was to be a £20 valuation. He asked the Committee to take the counties of Clare, Kerry, Cork, and Limerick, and to observe that, as a simple matter of fact, the men who would be the constituency of the Legislative Council would be the very men who, by their cowardice in regard to juries, were now reducing those counties to absolute anarchy. It was absolute folly for the Government to expect the Committee to believe that a Council elected under such a qualification was at all likely to prove a safeguard to the Irish minority. By making a careful analysis of the Legislative Council, it would be seen that the Unionist Party would be in a minority in it as well as in the Lower Chamber. He was not against the principle of Second Chambers. One strong argument in their favour was given by the Chancellor of the Duchy of Lancaster (Mr. Bryce) in his book on *The American Constitution*. The right hon. Gentleman had there pointed out that every State of

the American Union had adopted such Chambers; and that, at all events, would go to show that they were considered essential institutions even in that democratic country. A Second Chamber was proposed by the Government, however, not on principle at all, for the men who had proposed it did not believe in Second Chambers. He was driven to the conclusion that it was inserted as a safeguard for the minority; and, as one of the Representatives of the minority, he told the Government that he did not consider it a safeguard at all. He regarded it as the very opposite, and he asserted that the Government were deceiving the English people when they held it out as a safeguard. Safeguards were not necessarily illusory. The supremacy, for instance, was one of the safeguards in the Bill, and if the Unionists had had their way they would have made it an effective safeguard. They had not had their way, and the result was that it remained entirely illusory and non-effective. He was driven to inquire whether the Second Chamber was as illusory a safeguard as the supremacy. If he saw the slightest hope of amending the provisions with regard to it, if he saw any independence on the Ministerial side of the House, if he saw the slightest desire to make the safeguards effective, he should have a little more confidence in the proposal. As he saw no chance of this, he, as one of the Representatives of the Irish minority, told the Government that he did not look upon the Legislative Council as a safeguard. They considered that, instead of its being a safeguard, it would simply deceive the British people. Numbers of Englishmen would point to the Second Chamber as safeguarding the Irish minority when it really did nothing of the kind. Had any Member of the Irish minority ever asked for this illusory safeguard? He ventured to assert that no speech could be pointed to in which any such demand or request was made. They had always said that if hon. Gentlemen who were, under the Bill, to become their rulers were to be trusted, then the safeguards were an insult to them; while, if they were not to be trusted, then they might depend upon it that a mere paper safeguard would not control them. Hon. Members among the supporters of the



Government were against Second Chambers on principle, and yet they were going to vote for this clause. They were fighting against the House of Lords here, and saying it must be "ended," because it could not be "mended"; and, nevertheless, they proposed to set up a pinchbeck House of Lords in Ireland.

**MR. FLYNN:** An elective House.

**MR. T. W. RUSSELL:** A House elected by those jurors in Clare and Limerick who were visited by the mob before the Assizes, and intimidated from doing their duty. Nothing was more certain than that if the House of Lords was to be ended here a Second Chamber could not endure in Ireland. Therefore, hon. Members ought to have the responsibility of their convictions and vote against this proposition of the Bill. He was not arguing against Second Chambers on principle; but he was contending that this proposed Second Chamber would not prove a safeguard at all, and that the Bill would be better without it than with it.

Amendment proposed, in page 1, line 12, to leave out the words "and of two Houses, the Legislative Council and."—*(Mr. T. W. Russell.)*

Question proposed, "That the words 'two Houses' stand part of the Question."

**MR. LABOUCHERE** (Northampton) said, it was difficult to understand what the hon. Member who last spoke required. At one moment he said he did not want this safeguard at all, and at another he said he did. According to him, they had been occupied discussing a paper safeguard for the last two nights. Now, if he really required a safeguard, would he be good enough to enlighten the Committee, and tell them precisely in what way he wished to arrange a Second Chamber which should be a guarantee for the minority? If his hon. Friend were consistent he would put forward Amendments not to destroy the Bill, but to benefit the Bill. But his hon. Friend was simply following the orders given him by the Leader of the Opposition. He had moved an Amendment simply with the object of destroying the

Bill or of obstructing its discussion. He had himself intended to propose an Amendment precisely similar. To superficial observers it might appear that there was inconsistency in putting down an Amendment and voting against it. But in this particular case it was only an alteration in the incidents of procedure with respect to the Bill. He was himself in favour of one Chamber. But that was not a principle; it was rather, he might say, an opinion—a perfectly unbiassed opinion. Neither one Chamber nor two Chambers were necessarily democratic. There were democratic countries in which there were two Chambers, and democratic countries in which there was one Chamber. In every State of the United States there were two Chambers. Would hon. Gentlemen deny that those States were under a democratic system of government? In Norway, which was a democratic country, they had practically one Chamber which divided itself into two. The Chamber was elected by the same franchise, and when it came together it elected 30 Members which formed the Upper Chamber, and when there was a difference of opinion between the two they met together. The plan of the Bill set up a Chamber which could be said to be neither two nor one, or it might be said to be both two and one. Therefore it seemed to him upon consideration that a person in favour of two Chambers or of one might equally vote in favour of either. A Legislative Assembly and a Legislative Council had to be elected. They would sit in separate rooms, and if they disagreed—and with his knowledge of his hon. Friends opposite he thought it possible that they would disagree—they at once ceased to be two Chambers, and the ultimate decision would be the result of equal voting in one Chamber. If that were proposed for England he would be against it, as he would regard it as a very cumbrous mode of legislation. But the majority of the Irish Members were in favour of it; if they thought that they were so impulsive that it would be better that a Bill should be read six times instead of three—namely, three times in one Chamber and three times in the other—well, then, let them have two Chambers. It was a matter which concerned the Irish Members;

*Mr. T. W. Russell*

it was not a matter of principle. But the real question which concerned Radicals was, how was this Second Chamber to be elected? He certainly did hold the principle, not only as a pious opinion, but as a pious principle, that every legislator, if he had the right to legislate for his fellow-citizens, should be elected by the vote of his fellow-citizens. That was what Radicals had been struggling for during the last two years. They were in favour of one man one vote. If they agreed to the Legislative Council as proposed in the Bill they would give one man one vote and another man two votes. As a Radical, it would be impossible for him to vote in favour of the proposal that only persons with a £20 qualification should vote for a Member of the Legislative Council. The hon. Member said he moved his Amendment because he was afraid he should not be able to amend the Legislative Council. He trusted himself that he should be able to amend this particular clause. Some of them had hopes that this Bill would lead to Home Rule all round. They did not want this question of the absolute right of the individual to vote—one man one vote—to be prejudiced by giving to Ireland a Legislature in which the principle was laid down that one of its branches was to be elected by a high property qualification. They did not believe in any such safeguards. They did not wish to deprive the rich man of his vote, but they objected to giving a man a double vote. He had stated his views, and he believed he had given perfectly sound reasons why he intended to vote against the Amendment. He intended to vote as a matter of strategy. If he thought the House and the majority of the Irish Members were in favour of one House instead of the proposed arrangement, he should certainly have pushed forward his own Amendment. What the Amendment sought to establish could not be said to be an essentially democratic principle; but it was a democratic principle that, whether there were one or two Chambers, all the persons sitting in them should be elected by an equal popular vote.

\*MR. DUNBAR BARTON (Armagh, Mid.) said, that if he might quote the words of the last speaker he would say

that, as a superficial observer of modern Radical strategy, he had watched with interest the spectacle of the hon. Member for Northampton letting down buckets full of principle and drawing up buckets full of pious opinions from the inexhaustible wells of truth. With regard to the Amendment, he would appeal to his Unionist friends on both sides of the House to vote for it, and thus to stamp with their condemnation one of the grossest and most treacherous shams ever brought forward. Never before did a Government so determine to deceive the British people, or to humbug the electorate with false safeguards. Never was Parliament offered a more treacherous, deceptive measure. It was most unworthy treatment of the Irish Loyalists. In the Bill of 1886 an Upper Chamber was proposed in which the Irish Representative Peers were to sit. It was also proposed to require a property qualification for elected Members and a £25 franchise for electors. Why had the Peers and the property qualification been omitted in this Bill and the franchise reduced from £25 to £20? What was the reason of this rapid fall in so short a period of six years. If these things were to be regarded as safeguards, what had occurred during the past six years to make the Government less careful of the interests of the Irish Loyalists? The Committee had already been informed what the £20 franchise in Ireland meant. In 1871 the rating for common jurors was fixed at £20, but so disgraceful was their conduct—

MR. T. M. HEALY: I rise to a point of Order. I wish to ask you whether the hon. Member is in Order in referring to the common jurors in Ireland?

THE CHAIRMAN: I cannot say that the hon. and learned Member is out of Order.

\*MR. DUNBAR BARTON said, he was only referring to it as an exemplification of what the franchise meant. It ought to be known that by the institution of this Second Chamber the Irish Loyalists would not be protected. The rating for common jurors in Ireland was fixed at £20, and so disgraceful was their discharge of their duties that Parliament found it necessary to raise the qualifica-

tion for common jurors to £30, and, subsequently, to £40. The very Government now in Office, when they were previously in power, found it necessary to substitute special for common juries in the case of criminal trials. If they could not trust the common jurors to give just verdicts in criminal cases, how could they trust them to elect this Second Chamber? The persons who possessed the £20 qualification were the small farmers in Ireland, who were the most under the control of the Irish priesthood, and the consequence would be that the Upper House would be a priest-ridden body, and the House would be a priests' House. He would sooner trust to the Irish democracy than to the priests. Such a House would be exclusive without being select, and it would not be a House of Lords, but a House of Snobs, as it had already been described in Ireland. It would have all the vices of an Upper House, and none of its usefulness. It was an insult to all the Upper Chambers in the world to compare them with such a House, because instead of being dignified, admirable, and useful, it would be creeping, mean, and contemptible. There was no comparison between the American Senate and this miserable House which it was proposed to set up. There were no limits of age or of citizenship provided in the Bill as qualification for seats in this Upper House, as there were in the case of the American Senate; there was nothing to prevent an alien becoming a Member, and he believed and dreaded that, like the Lower House and Irish society generally, it might be overrun and overwhelmed by American adventurers and returned Fenians, who, having paid their money, would exact this in return.

MR. T. M. HEALY (Louth, N.): I ask the hon. and learned Member to look at Clause 5.

MR. DUNBAR BARTON said, he declined to look at Clause 5, or any other clause. He invited the hon. and learned Gentleman to rise at an early opportunity and take part in the Debate.

MR. T. M. HEALY: Mr. Mellor, I am not such a fool.

*Mr. Dunbar Barton*

MR. DUNBAR BARTON said, he could assure the hon. and learned Gentleman that no countryman of his would put him down for a fool. The hon. and learned Gentleman was the very man they wanted to hear speak on the Bill. He was not a fool—he knew what he meant; was careful about what he said, and therefore they were all anxious to hear his views—not on whether aliens could be Members of the Upper House or not, for that was but a small matter—but on the entire Bill. It had been laid down by a great writer, Hamilton, that the one thing which was desirable for a satisfactory Constitution was that there should be a dissimilarity of genius between the two Houses. In this country we had the hereditary principle in the House of Lords, and the elective principle in the House of Commons. In America, also, the mode of election of the two Houses was entirely different. But what was so deficient in the Upper House proposed in this Bill was that there was no dissimilarity of genius between it and the other House. What was the difference between the modes of election of the two Houses? The Lower House was to be elected on the household franchise, and the Upper House was to be elected, forsooth! on a £20 franchise. Who would regard the opinion of the £20 householder as of greater value than the opinion of the voter for the lower House? They were simply setting up a second elected Chamber, which was hardly different from the Lower Chamber, and whose only function would be to corroborate and to give a false strength to the unjust legislation of the Lower House. It would, therefore, give no protection to anybody in Ireland, and would be of no value to Great Britain. Where did this Council come from? Where did the right hon. Gentleman get this particular safeguard from? He had got safeguards from all parts of the world. He had taken the safeguard as to the supremacy from Canada, the financial safeguards from the Argentine Republic, and some of the safeguards for the loyal minority in Ireland were borrowed from the amendment of the American Constitution, which was applied to negroes. He believed that

the safeguard of the Second Chamber had been borrowed from some part of the Australian Colonies, and he had heard that in Australia they had already christened their Council the Kangaroo Council. It was called the Kangaroo Council, partly because of the country of its origin, and partly because it was supposed to have come over in the same steamboat as the boxing kangaroo. But there was this remarkable distinction between the Council and the kangaroo—that that sagacious animal was of some use to his owner, this Second Chamber was more ridiculous than the animal and of no use to anybody. The Irish Loyalists would have none of these fantastic safeguards from all parts of the world. They wanted British safeguards, and if they could not get them they would depend on themselves for protection. It had been said that they had no trust in the people. They trusted the people more than the Government trusted them, and they would rather trust the Irish people, as represented in the Lower Chamber, than this miserable, false Upper House. The Government were trying to humbug the British people. The hon. Member for South Tyrone had said that the Loyalists would obtain seats in the Upper House. He thought the hon. Gentlemen was an optimist. He would only undertake to say that they would gain 10 out of the 20 seats mentioned by the hon. Member. Ulster would gain nothing by the raising of the franchise, because in Ulster the lower they went the more loyal they were. [*Laughter.*] He meant lower in the social scale. The Radicals who proposed to set up this House of Snobs in Ireland now laughed at an allusion to people in a lower social scale. He challenged anyone to deny that in Ulster they could get more Representatives in the Upper House than in the Lower, because the population in the six counties which returned 19 Members out of 24 was concentrated. They could hardly return more on a higher franchise. Certainly, he did not believe that the men returned on a higher franchise would be one whit more loyal or more Conservative than the men returned on the lower franchise. Therefore, in Ulster they would not be better off on a higher than on a lower franchise.

They were, as he had said, concentrated in Ulster. The Loyalists in other parts of Ireland were scattered. They had no right to be reproached because they were scattered. Why were Loyalists in the other Provinces scattered? Because they had been for centuries England's scattered garrison. They had guarded British interests. What was England's strength then was their weakness now. They were now to be handed over to enemies whom they had made in England's cause. He did not know how the Radicals were going to vote on this Amendment. If they voted for this travesty of a Second Chamber, he did not know how they could reconcile such a vote to their consciences, except that it was intended to degrade the principle of a Second Chamber. Indeed, if the Radicals wanted to degrade the principle of the Second Chamber, they would vote for this miserable House. They could not justify their vote on any other ground whatever. The Second Chamber would be no safeguard for the Loyalists. On the contrary, it would be a sham safeguard, and a sham safeguard was a danger in disguise.

\*MR. HENEAGE (Great Grimsby) moved to report Progress. The Prime Minister gave him a distinct pledge that progress would be made with the North Sea Fisheries Bill, which was the next Order on the Paper, and the ten minutes remaining before midnight was insufficient for another speech on the Amendment before the Committee.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Heneage.*)

MR. J. MORLEY: I hope that the Motion will not be pressed. There is still time to continue this discussion on the Amendment, though I admit the importance of the Bill to which the right hon. Gentleman has referred.

MR. HANBURY (Preston): I trust the Government will accede to the Motion. They will practically lose no time by so doing, and they will be bringing on a Bill which is of far more importance to the country than the Home Rule Bill.

MR. J. MORLEY: There is no reason why that Bill should not be taken after 12 o'clock.

MR. VICARY GIBBS (Herts, St. Albans): I can assure the right hon. Gentleman that it will not be allowed to be taken after 12 o'clock.

MR. J. CHAMBERLAIN: The Government surely cannot expect that the discussion on this Amendment should close this evening. Though an extremely important Amendment has been proposed, not a word has been said with reference to it by the Government. If the Government still resists the Motion to report Progress, I would urge my right hon. Friend to go to a Division.

MR. ILLINGWORTH (Bradford, W.): I cannot understand the position of the right hon. Gentleman who moved the Adjournment of the Debate.

MR. HENEAGE: I explained it.

MR. ILLINGWORTH: The right hon. Gentleman said he could not finish his speech within the time. But why should he not commence it? I hope, especially after the threat of the right hon. Gentleman the Member for West Birmingham, that we shall proceed to a Division on this Motion.

\*MR. HENEAGE: I hope the right hon. Gentleman will not force me to go to a Division. I will only repeat that I had a distinct promise from the Prime Minister that, on the first opportunity, the North Sea Fisheries Bill would be pushed forward.

MR. J. MORLEY: Under the circumstances, and considering the pledge of the Prime Minister with reference to the North Sea Fisheries Bill, as well as on the understanding that the House will make progress with that Bill, I consent to the Motion to report Progress.

Question put, and agreed to.

Committee report Progress; to sit again To-morrow.

NORTH SEA FISHERIES BILL.—(No. 259.)

#### COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1 agreed to.

#### Clause 2.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) said, that Clause 2 imposed a penalty on any person on board a British vessel for supplying, exchanging, or otherwise selling spirits to any fishing vessel. But France declined to come into the Convention under the Bill; and he, therefore, asked what security British traders in the North Seas would have that French vessels would not supply liquor indiscriminately there? He had had during the last few weeks conversations with men whose business it was to go to the North Seas trading in the winter, and they had expressed their strong objection to this Bill.

MR. HENEAGE: No, they have not. The Bill was brought in at the request of the fishermen. As representing the fishermen, I would point out that this Bill is the same as the one introduced by the last Government, and any objection made to it now is sheer and utter obstruction.

THE MARQUESS OF CARMARTHEN said, that the right hon. Gentleman might represent some fishermen. He himself did not claim to represent any fishermen whatever, and he had only been referring to his conversation with men who were bitterly opposed to the Bill. He thought it was somewhat unjust that the right hon. Gentleman should have made an attack upon him when he rose to speak on behalf of these men. He considered it was a gross injustice, not only to those men, but also to the people of this country, that French traders should be allowed to supply infamous liquor, while British traders were to be prohibited under a penalty. He therefore begged to move the omission of Clause 2.

Moved, "That Clause 2 be omitted."  
—(*The Marquess of Carmarthen.*)

MR. GIBSON BOWLES (Lynn Regis): The whole effect of this Bill—

Mr. Brunner rose in his place, and claimed to move, "That the Question be now put."

Question put accordingly, and agreed to.

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress.

Motion made, and Question proposed, "That this House will immediately resolve itself into the Committee."—(*Mr. Mundella*); but objection being taken;

Committee deferred till To-morrow.

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.**—(No. 318.)

Read a second time, and committed.

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 3) BILL.**—(No. 334.)

Read a second time, and committed.

**PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.**—(No. 328.)

Read a second time, and committed.

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 4) BILL.**

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the town of Carlow, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 345.]

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 5) BILL.**

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the town of Dungiven, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 346.]

**POLICE DISABILITIES REMOVAL BILL.**

Lords Amendment to be considered forthwith; considered, and agreed to.

**MESSAGE FROM THE LORDS.**

That they have agreed to,—Customs and Inland Revenue Bill, Local Government (Ireland) Provisional Order (No. 1) Bill.

Public Accounts (Committee)—That they do give leave to the Clerk of the Parliaments to attend, in order to his being examined as a Witness, before the Select Committee appointed by this House on Public Accounts (House of Commons).

VOL. XII. [FOURTH SERIES.]

**FACTORY AND WORKSHOP ACT (1891)**

**AMENDMENT BILL.**

On Motion of Sir Henry James, Bill to amend "The Factory and Workshop Act, 1891," ordered to be brought in by Sir Henry James, Sir Henry Roscoe, Mr. Mowbray, and Mr. Fenwick.

Bill presented, and read first time. [Bill 349.]

**LABOURERS (IRELAND) ACT (EXTENSION TO FISHERMEN) BILL.**

On Motion of Sir Thomas Esmonde, Bill to amend the Labourers (Ireland) Act so as to include fishermen, ordered to be brought in by Sir Thomas Esmonde, Mr. Arthur O'Connor, and Mr. Webb.

Bill presented, and read first time. [Bill 350.]

**JUSTICES OF THE PEACE QUALIFICATION REPEAL BILL.**

On Motion of Mr. Alpheus Morton, Bill to repeal the Law respecting the Qualifications of Justices of the Peace, ordered to be brought in by Mr. Alpheus Morton, Mr. Arch, Mr. Billson, Sir Charles Dilke, Mr. Dodd, Captain Fenwick, Mr. Charles Fenwick, Mr. Fleming, Mr. John Lewis, Mr. Lloyd Morgan, Mr. James Rowlands, and Mr. Francis Stevenson.

Bill presented, and read first time. [Bill 351.]

**MAGISTRATES QUALIFICATION (NO. 2) BILL.**

On Motion of Mr. Dodd, Bill to amend the Law relating to the Qualification and Appointment of Justices of the Peace in counties, ordered to be brought in by Mr. Dodd, Mr. Stansfeld, Mr. Arch, Mr. Channing, Mr. Charles Fenwick, Mr. Carvell Williams, Mr. Neville, and Mr. Brand.

Bill presented, and read first time. [Bill 352.]

**HOUSING OF THE WORKING CLASSES (EDINBURGH) PROVISIONAL ORDER BILL.**

On Motion of Sir George Trevelyan, Bill to confirm a Provisional Order made by the Secretary for Scotland, under Part I. of "The Housing of the Working Classes Act, 1890," relating to the city and royal burgh of Edinburgh, ordered to be brought in by Sir George Trevelyan and The Lord Advocate.

Bill presented, and read first time. [Bill 347.]

**VEHICLES' LIGHTS (NO. 2) BILL.**

Presented, and read the first time; to be read a second time upon Monday next, and to be printed. [Bill 348.]

**ZANZIBAR, THE SEYCHELLES, AND THE MAURITIUS TELEGRAPH CABLE.**

Resolved, That the Contract, dated the 29th day of March 1893, entered into by the Eastern and South African Telegraph Company, Limited, for constructing, laying, and maintaining a Submarine Telegraph Cable from the East Coast of Africa to the Seychelles, and thence to the Mauritius, be approved.—(*Sir John Hibbert*.)

## SELECTION (STANDING COMMITTEES).

SIR JOHN R. MOWBRAY reported from the Committee of Selection ; That they had discharged the following Members from the Standing Committee on Law, and Courts of Justice, and Legal Procedure :—Mr. Attorney General, Mr. Henry Hobhouse, Mr. Harry Lawson, Mr. Stuart Rendel, and Mr. Henry J. Wilson ; and had appointed in substitution : Mr. Albert Bright, Mr. Haldane, Mr. Rathbone, Mr. Solicitor General, and Mr. Havelock Wilson.

SIR JOHN R. MOWBRAY further reported from the Committee ; That they had discharged from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures the following Member :—Mr. Rathbone ; and had appointed in substitution : Mr. Stuart Rendel.

Report to lie upon the Table.

## PROVISIONAL ORDER BILLS.

(STANDING ORDER APPLICABLE THERE-  
TO COMPLIED WITH.)

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, referred on the First Reading thereof, the Standing Order which is applicable thereto has been complied with, namely :—Local Government Provisional Order (Housing of Working Classes) Bill ; Local Government Provisional Orders (No. 8) Bill.

Ordered, That the Bills be read a second time To-morrow.

## PROVISIONAL ORDER BILLS.

(NO STANDING ORDER APPLICABLE.)

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, no Standing Order is applicable, namely :—Local Government Provisional Orders (No. 9) Bill.

Ordered, That the Bill be read a second time To-morrow.

CANAL RATES, TOLLS, AND CHARGES  
PROVISIONAL ORDER BILLS.

Resolution of the House of the 5th day of May relative to Canal Rates,

Tolls, and Charges Provisional Order Bills, which was ordered to be communicated to the Lords, and the Message from the Lords of the 8th day of May, signifying their concurrence in the said Resolution, read.

Ordered, That the following Bills be committed to a Select Committee of Five Members, nominated by the Committee of Selection, to be joined with a Committee of Five Lords :—

Canal Rates, Tolls, and Charges Provisional Order [Leeds and Liverpool Canal] Bill.

Canal Rates, Tolls, and Charges Provisional Order [Navigation of the Rivers Aire and Calder] Bill.

Canal Tolls and Charges Provisional Order [Birmingham Canal Navigations] Bill.

Canal Tolls and Charges Provisional Order [Grand Junction Canal] Bill.

Canal Tolls and Charges Provisional Order [Warwick and Birmingham Canal] Bill.

Ordered, That all Petitions in favour of or against the Bills or Orders scheduled thereto presented five clear days before the meeting of the Committee be referred to the Committee ; that the Petitioners praying to be heard by themselves, their Counsel or Agents, be heard in favour of or against the Bills, and Counsel heard in support of the Bills.

Ordered, That a Message be sent to the Lords, to acquaint their Lordships that the said Bills have been committed to Five Members of this House, to be joined with a Committee of Five Lords, pursuant to the Resolution of the House relative to Provisional Orders Confirmation (Canal Rates, Tolls, and Charges) Bills of the 5th day of May, and to the Message of the 8th day of May, signifying their concurrence in the said Resolution.—(*Mr. Burt.*)

PIER AND HARBOUR PROVISIONAL  
ORDERS.

Copy ordered, "of Memorandum stating the nature of the Proposals contained in the Provisional Orders included in the Pier and Harbour Provisional Orders (No. 3) Bill."—(*Mr. Burt.*)

Copy presented accordingly ; to lie upon the Table, and to be printed. [No. 208.]

House adjourned at ten minutes  
after Twelve o'clock.

## HOUSE OF COMMONS,

*Wednesday, 10th May 1893.*

## PRIVATE BUSINESS.

## LONDON IMPROVEMENTS BILL.

Motion made, and Question proposed,  
 "That Mr. Benn be a Member of the  
 Select Committee on the London Improve-  
 ments Bill."—(*Mr. Marjoribanks.*)

MR. JAMES LOWTHER (Kent, Thanet) took exception to the name of Mr. Benn, who was a member of the London County Council, and therefore ought not to be made a judge in his own cause.

MR. MARJORIBANKS said, the right hon. Gentleman took exception to four names, but the Committee had been appointed in the ordinary manner by agreement between both sides of the House. He hoped that the right hon. Gentleman would fall in with the ordinary practice and agree to the nomination of the Committee.

MR. JAMES LOWTHER said, he would give his reasons for objecting to the names. It was the practice of Members who served on Select Committees to sign a declaration to the effect that neither individually nor through their constituents had they any interest personally in the Bill that came before them. He imagined that, as a matter of principle, it was thoroughly unsound that a member of a Body which was the promoter of a Bill should be a judge in the cause in which he was concerned. He need hardly say that, as regarded the hon. Member to whose name he took exception, he did not object to him personally as a fit Member to serve on the Committee, but he thought it would be derogating from the judicial impartiality which had always been associated with Committees in the House if those who were interested as promoters were to be judges in their own cause. A person who was called upon to impartially assist in sifting evidence should be like Cæsar's wife—above suspicion. He hoped the right hon. Gentleman the Patronage Secretary to the Treasury would seriously consider this matter. It was not a matter, he

presumed, which would have been brought personally before the Prime Minister, but he thought the Government should realise that it would be a serious thing if any step were taken which would take away from the spirit of judicial impartiality and fairness which, happily, was always associated with Committees of the House. He was told that there were so-called precedents in the fact that members of the now defunct Metropolitan Board of Works had served on Select Committees which had to consider proposals initiated by that Body; but this contention did not apply to a Body like the London County Council, which had been in the past, and was certain in the future, to be the promoter of legislation of a somewhat highly contentious character. In regard to Select Committees, it had always been thought desirable to eliminate from them all partisan elements. So far as Private Bill Committees were concerned, he should have the concurrence of Members on both sides of the House when he said that hitherto they had commanded the confidence of the public and of both sides of the House—

\*MR. SPEAKER: If the right hon. Gentleman objects to the name, the question of the nomination of the Committee must stand over.

MR. JAMES LOWTHER: I do object.

Objection being taken, Further Proceeding stood adjourned until Tomorrow.

## THE RESIGNATION OF MR. DAVITT.

MR. SEXTON (Kerry, N.) said, that in the Votes he found the following Notice:—

"Mr. Ross,—Mr. Davitt (Adjudication of Bankruptcy),—Copy of the record of any adjudication of bankruptcy against Mr. Michael Davitt, the hon. Member for the North-East Division of the County of Cork. (Thursday, May 11.)"

As there had been no intimation of bankruptcy against Mr. Davitt, and as the hon. Member for North-East Cork had ceased to be a Member of the House, having accepted the Chiltern Hundreds, he wished to know whether this Notice could remain on the Paper in this form?

\*MR. SPEAKER: That will be for the hon. Member, in whose name the Notice stands, to judge between now and



the time when the Motion will be brought forward.

MR. SEXTON : In the meantime, Sir, could you not direct the hon. Member to take the Notice off the Paper, seeing that Mr. Davitt is no longer a Member of the House.

\*MR. SPEAKER : Of course, if the Motion is opposed on the ground indicated by the hon. Gentleman, the House can take the matter into its own hands.

#### COMMITTEES (ASCENSION DAY.)

Motion made, and Question proposed, "That Committees do not sit Tomorrow, being Ascension Day, until Two of the clock."—(*Mr. W. E. Gladstone.*)

MR. T. W. RUSSELL (Tyrene, S.) hoped that the House would not assent to this Motion. It had been customary in every Parliament for the House to divide against it, and he thought that in a House largely composed of Nonconformists it was high time that a line should be drawn with regard to Motions of this kind. He could understand a Roman Catholic or a High Church Parliament making Motions of this kind, but he could not understand such a Motion being accepted by a House largely composed of Nonconformists. He opposed the Motion, and would divide the House against it.

MR. JOHNSTON (Belfast, S.) hoped that the House would assent to the Motion. Ascension Day was one of the vital points in our common Christianity. Christmas Day, Good Friday, Easter Sunday, and Ascension Day represented the four cardinal points in our common Christianity. He should very much regret the day when the Commons House of Parliament of this Christian country would refuse to assent to this proposition.

MR. LABOUCHERE (Northampton) said, that this question had nothing to do with Nonconformity. He understood that the Prime Minister proposed this Motion as an old Form, but that the right hon. Gentleman left the House to decide as an open question whether it should be adopted or not. The real objection, to his mind, to the Motion was that when all these Committees would be sitting a large number of witnesses would in many cases be in attendance. Besides that, as they knew, counsel were retained and were

receiving refreshers every day. If by adopting this proposal they reduced the time during which the Committees could sit, they would be inflicting a considerable fine upon those who were interested in Private Bills. He did not know that the matter needed much discussion. He certainly should vote against the Motion, and it seemed to him that the best thing they could do would be to go to a Division at once.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Mid Lothian) : This Motion is proposed in accordance with established custom.

MR. LABOUCHERE : I think the House once decided against it.

MR. W. E. GLADSTONE : Not to my knowledge. It has always, I think, been customary to leave the House to decide the question as it seems fitting. The Government do not put pressure on their supporters, the question being left to the free judgment of the House. It must be remembered that there is a Rule empowering Committees to sit after the meeting of the House, which is a sufficient reply to the hon. Member, who complains that loss is inflicted upon persons interested in Private Bills who have retained counsel when the length of time during which Committees can sit is curtailed.

SIR J. FERGUSSON (Manchester, N.E.) said, that the right hon. Gentleman the Prime Minister had given somewhat cold support to the Motion he had made, though it was well-known that that could not be from want of hearty sympathy with it. He (Sir J. Fergusson) was a Scottish Presbyterian, but he had always been in the habit of respecting the religious observances of the countries in which he had lived. He therefore heartily sympathised with the observance of tomorrow in England by the large majority of the people. Ascension Day was a day held sacred not only by the majority of the people of England, but also by their Roman Catholic fellow-subjects, and he therefore thought that even those Members who did not desire to go to Church and who did not attach sacred associations to the day would not wish to prevent that recognition which was always given to it by the House of Commons. He was sure it would wound the feelings of a great many, and be

*Mr. Speaker*

regarded as a tendency of the House to break away from the traditions of the past if the Motion were not accepted. Was it out of place to remind the House that the recognition of Ascension Day was one of the most ancient observances of Catholic Christendom? The Presbyterians put away hundreds of years ago the keeping of these holidays. Many of them were regretting it now, and there were numbers of Presbyterian ministers and laymen who were now observing Christmas Day and Good Friday and Easter Sunday, feeling that they had taken a step too far in the past, and that it was desirable to retrace it. Having lived most of his life in England, and being glad to conform to the English Church, he spoke with a certain amount of freedom on this matter, and he was sure that other Scotch Members would desire the recognition of those days held sacred by the majority of the people of the United Kingdom, and would agree that they should not be spoken of lightly or be dismissed with a sneer or half-hearted support.

MR. MACARTNEY (Antrim, S.) wished to support the Motion, but to guard himself against the impression that he did so on the polytheistic principles of his right hon. Friend who had just spoken. He was not surprised to hear it laid down by the hon. Member for Northampton that the Government had an open mind on this question. It appeared to him that on this question, as on all others, they had an open mind. There was nothing that they were not prepared to leave to the judgment of the House. He regretted that the Prime Minister had not taken a stronger line. The right hon. Gentleman was going to vote for the Motion of course, but he ought to have exercised his authority on his followers in a more stringent manner.

MR. HENEAGE (Great Grimsby) said, he always consistently opposed the Motion, as he objected to being liberal with other people's time and money. He considered it hard upon people who had Railway Bills before Committees that these Motions should be passed. Members of Committees who desired to attend religious services to-morrow could do so without compelling all Committees to suspend their sittings. The right hon. Gentleman the Prime Minister had said that Committees could obtain permission to sit during the Sitting of the House, but

he (Mr. Heneage) failed to see how Members could be in two places at once.

MR. TOMLINSON (Preston) said, the argument of the right hon. Gentleman would apply to all Wednesday Sittings, seeing that the House and the Committees commenced sitting at the same hour.

SIR T. LEA (Londonderry, S.) said, it was intensely inconvenient for Committees to be sitting at the same time as the House. The inconvenience of Motions of this kind were not so great years ago, for the reason that the House was in the habit of sitting at 4 instead of 3 o'clock as at present. Members now took far more interest in the saving the time of Committees than they did formerly, and he hoped the House would relieve itself of the antiquated custom set forth in the Prime Minister's Motion.

Question put.

The House divided:—Ayes 144; Noes 74.—(Division List, No. 76.)

### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 9th May.*]

[THIRD NIGHT.]

Bill considered in Committee.

(In the Committee.)

Clause 1.

Amendment proposed, in page 1, line 12, to leave out the words "two Houses, the Legislative Council and."—(Mr. T. W. Russell.)

Question again proposed, "That the words 'two Houses' stand part of the Clause."

MR. HENEAGE (Great Grimsby) thanked the right hon. Gentleman the Chief Secretary (Mr. J. Morley) for having consented to report Progress shortly before 12 o'clock on the previous evening, and promised to show his appreciation of the right hon. Gentleman's kindness by making his remarks as brief as possible. He intended to support the Amendment of the hon. Member for South Tyrone (Mr. T. W. Russell), which had received the support of the hon. and learned Member for Mid Armagh (Mr. Barton) on behalf of the loyal population of the North of Ireland. He wished to know who asked for a

Second Chamber? No Irish Member in any part of the House had requested the Government to adhere to their proposal respecting a Second Chamber. The question had been treated by the hon. Member for Northampton (Mr. Labouchere) in a sort of battledore and shuttlecock fashion. What was the reason of the hon. Member's sudden change of front? Was it due to the fact that the Motion had been moved by the hon. Member for South Tyrone (Mr. T. W. Russell)? When a politician who was aspiring to Cabinet rank dealt with a question as the hon. Member had dealt with it, his remarks might be treated almost with contempt, and it might almost be said that "truth" was not always reliable in politics, but sometimes savoured of the heathen Chinee. Had the change in the hon. Member's views been occasioned by any promise on the part of the Government to support the Amendment of which the hon. Member had given notice on the 9th clause? He (Mr. Heneage) had serious misgivings that that was the *quid pro quo* which the hon. Member had received for having renounced his opinions on the question. The Second Chamber was not to be in any sense a Senate or a House of Peers, and that it would not in any degree represent the minority in Ireland was clear from the speeches delivered by the hon. Members for South Tyrone (Mr. T. W. Russell) and Mid Armagh (Mr. Barton). No signs had been forthcoming that it would meet the views of the Nationalist Members. Of course, the Chief Secretary might be acquainted with their views however, as it was well-known that the Bill was the result of a sort of secret compact between those Members and the Government in which England had been left out of the calculation altogether. The Second Chamber would not be any protection to Ulster; it would not strengthen the supremacy of Parliament, and it was not required to carry out the Gladstonian policy of giving Ireland a separate Parliament to manage its own affairs. These facts were very important in reference to the majority obtained by the Prime Minister in 1892, when 25 seats were gained by the Gladstonians in this country, the total majority being only 5,000. How was that majority obtained for the Home Rule cause? It was due to the fact that electors who had either

stood on one side or had voted against the Home Rule Bill of 1886 had in 1892 voted for the Gladstonian candidates. He had been told over and over again—"I voted for you in '86, but I am going to give the right hon. Member for Midlothian another chance of seeing if he can deal with this Irish Question." They gave their votes in the belief that English opinion in regard to Home Rule would have some force in the Cabinet, especially as they were told, in a famous letter written by the Chancellor of the Exchequer from his own fireside, that whilst the Irish were entitled to their views with regard to Home Rule, the British people were also entitled to their views. They gave their votes in the belief that the Home Rule Legislature would be a sort of local government on a very large scale, with certain legislative powers added, and not that it would be an independent Parliament. He stood in a somewhat exceptional position in reference to ascertaining the views of the electors, as he supposed there were few Members of the House who knew their constituents better than he knew his. He was, therefore, pretty well acquainted with the views of those who voted for him in 1886, voted against him in 1892, and again voted for him at the subsequent bye-election.

MR. LOGAN (Leicester, Harborough): Mr. Mellor, I should like to know whether the right hon. Gentleman is in Order on this particular Amendment in giving us his electioneering experiences?

THE CHAIRMAN: Every Member is bound to speak to the Amendment as closely as he can, but I do not think the right hon. Gentleman is out of Order.

MR. HENEAGE said, he thought more time had been wasted by the interruption, as was often the case when new Members, who had yet to learn the Rules of Order, interfered with those who knew them than would have been occupied if he had been allowed to say what he was endeavouring to say. He was only remarking that the reason which induced many people to vote against Home Rule in 1881, for the Liberal Party in 1892, and again against Home Rule in 1893, was that between the General Election and the bye-election they had seen the Bill. Why had the

Bill been altered from the shape in which it was in 1886?

MR. T. M. HEALY (Louth, N.): Question.

MR. HENEAGE said, he was speaking to the question. There were not two Chambers in the Bill of 1886.

MR. T. M. HEALY: Yes, there were.

MR. HENEAGE said, that in 1886 there were two orders or classes of Members, but they were to sit together and form practically one House. As the hon. and learned Gentleman (Mr. T. M. Healy) had challenged him, however, he thought he could not do better than quote what the Prime Minister said. In moving the Second Reading of the Home Rule Bill in 1886 the Prime Minister said—

"We propose to introduce into the Legislative Body what we have called two orders. These orders would sit and deliberate together. There would be a power on the demand of either order of separate voting."

He could not put the case more strongly than the right hon. Gentleman himself had put it. Having read that extract, he had to ask the Government why they had departed from the lines of their original proposal and created two separate Chambers, which nobody wanted, which could not possibly work satisfactorily, and which would satisfy no one?

MR. W. E. GLADSTONE: The Government have arrived at the conclusion that an Elective Assembly would be the proper form for a Second Chamber; but this is a matter upon which the Committee will, after consideration, exercise its free judgment when it comes to deal with the composition of that Assembly. The course adopted by the supporters of the Amendment is not convenient. They say that they are friendly to the principle of a Second Chamber; yet the Amendment proposes to do away with the Second Chamber, which the Government recommend, and which is, in the opinion of the Government, the only way of dealing with this question. In voting that there should be a Legislative Council hon. Members are not committing themselves to any particular form of composition for that Council. We are now dealing strictly and solely with the principle of a Second Chamber. I do not speak of the principle of an elective Second Chamber. There are precedents

for other forms, and I have no wish to exclude them. The Government have taken that which they believe to be the best, and they have, as in all matters of detail connected with the Bill, felt a great disposition to be guided by experience. We have upon this subject very large experience before us. It may be said without fear of contradiction that the Colonial Constitutions have been chosen either according to their own electoral representation or in conformity with what they rightly believed to be the dispositions of the inhabitants of the Colonies. In no instance, I believe, have the colonists expressed any desire for departure from their present Constitutions. If any Colony were to express such a desire Parliament would be disposed to listen with respect, and even with favour, to their well-ascertained opinions. Here we have, therefore, a large experience from numbers of people of our own race, many of whom have been our fellow-citizens in this country, and who still remain citizens of the Empire at large. I do not think there is a single exception to the principle of a Second Chamber in the case of any Colonial Legislature properly so called. I am not referring to the Provincial Legislatures of Canada. It has been proved beyond doubt that the Second Chamber operates as a very serious check upon the immediate action of the representative Chamber, and the principal proposition of the Government is that a wide experience of the free Constitutions of the Colonies has given sanction to the principle of a Second Chamber, and that this principle is peculiarly recommended in the particular case of Ireland. I believe that I am speaking in conformity with the general sentiment of the Representatives of Ireland—although I have, of course, no right to represent them—in saying that they have the strongest desire to conciliate those of their fellow-countrymen who are in any degree accessible to friendly discussion. Of course, it would be ridiculous to speak of those particular individuals who are beyond conciliation. But I fully believe that the Nationalists entertain every desire for conciliation wherever they have the slenderest hope of effecting it, and I believe, moreover, that they are right in that hope and desire. In my view, this is the best and indeed a necessary policy, however unfavourable

the circumstances may be for bringing the minority into line with the majority. I do not think it is an irrational hope to entertain, that, after this Bill has become law, a great change may take place in Ireland. I cannot myself hope to see that change, but I believe that the younger Members on these Benches may hope to see the present divided Parties acting in general concurrence.

Mr. JOHNSTON : The change will be civil war.

Mr. W. E. GLADSTONE : I do not doubt that the hon. Member makes a true representation of the sentiments he at present entertains. I, however, have ventured to express my own opinion upon the matter. Now it has been said that the proposal of the Government is a delusive proposal. Hon. Gentlemen may consider the proposed Second Chamber as being defective in composition or lacking in strength ; but, if so, their consistent course would be—particularly if they think a Second Chamber to be expedient in itself and that it is further recommended by the peculiar circumstances of Ireland—their best course would now be to sanction the principle, and then to proceed to alter the details, or to propose to alter them, in whatever way they may think proper, when the Committee comes to the provisions in the Bill which deal with those details. If they fail to alter the details in the Bill, they may then proceed, if necessary, to denounce the Second Chamber for Ireland at whatever subsequent stage of the Bill they think proper. It would be a premature and unwise step on the part of these hon. Gentlemen to condemn the principle if they think that principle is wise and just. The energetic and liberty-loving colonial populations cannot have so universally accepted the Second Chamber unless, upon general grounds, it has been found wise and expedient. The first effect of a Second Chamber is to present an undoubted and unquestionable security against hasty legislation. It interposes a certain period of time ; it interposes reflection ; and in interposing reflection, apart from the possible heat of popular discussion, it interposes an opportunity for allowing full consideration of the modes by which an approximation may be effected between the opposing Parties by some reasonable accommodation of their differences. Who can doubt or deny that

this is a necessary effect of the Second Chamber ? That would be so even if—which I do not for a moment admit—we were entirely wrong in the composition of the Chamber. The mere fact of its causing an interposition of time before a final decision is made is a very great recommendation. In some respects the Irish Legislature which we are proposing to establish will approach its work under difficulties over and above those which are to be found in the dissensions in Ireland. The greatest loss, or one of the greatest losses, which Ireland has sustained in consequence of the extinction of her domestic Legislature has, in my opinion, been that there has been cut off from Ireland the ordinary, natural, healthful means of the formation of real public opinion. It is not easy to restore this. Notwithstanding the very defective constitution of the Dublin Parliament, there was this action in the public mind tending to influence the sober, legitimate legislation of the Parliament which sat between 1782 and 1795. I admit that the machinery which had been set in action against all the interests of Ireland, no less than against morality and good policy, made the Parliament which sat from 1796 to 1800 very different, though even in that limited Body the claim to national life was not extinct, notwithstanding that every influence was brought to bear upon it from without to make it surrender. What I am arguing for is that, given a Home Rule Bill, it is extremely desirable that its provisions should be so adjusted as to promote, facilitate, develop, and mature the action of public opinion—and, in the main, Irish opinion—upon the proceedings of the Legislative Body in Ireland. From that point of view, every candid man must admit that the interposition of the Second Chamber, with prerogatives reasonably limited, must from the mere fact of repeated discussion—and discussion, moreover, from a somewhat different standpoint—tend to develop that diversity of action in the minds of various classes of persons which is so essential to the health of a free community. And this is especially necessary in the peculiar circumstances of Ireland. Further, I do not doubt that the Irish Nationalists would be among the first to say that they desired the people in this country

to continue to take a constant interest in Irish affairs, and to closely watch the actions of the Irish Legislature so as to secure the healthful play of public opinion upon that Body. The question as to how far the Second Chamber can be made to represent the interests of the minority is one rather for consideration when we come to the particulars of the constitution of the Second Chamber than for discussion at the present moment. I have no wish to prejudice any portion of that question, but for the present I may say that I am strongly impressed with the belief that the character of deliberation, the character of gravity, the character of dignity, and the character of stability, which has been found in all our Colonies to attend the system of the double Chamber, will attend the establishment of the Constitution which we now propose for Ireland. And these influences will be especially helpful in Ireland, which has naturally become disused by the arrangements under which she has existed for the last 90 years to the free and vigorous action of public opinion upon the proceedings of the Legislature.

MR. PLUNKET (Dublin University): When I rose just now at the same time as the Prime Minister it was not with any intention of interposing myself between the right hon. Gentleman and the House, but because there seemed to be an extraordinary disposition in certain quarters to terminate this discussion. If I speak but briefly to-day it is not because of any disinclination to support the Amendment of the hon. Member for South Tyrone (Mr. T. W. Russell)—for if he presses it to a Division I shall vote for it—but because I simply wish to explain that in so doing I am not opposed in principle to a Second Chamber. I wish also to make it clear that in so acting I believe that I am expressing the views taken upon this matter by the loyal minority in Ireland, and especially that portion of the loyal minority which dwells outside the Province of Ulster. The Prime Minister has said that the only thing now under discussion is the principle of the Second Chamber, and he has also stated that the Government are not rigidly pledged to the particular proposals, as regards the Second Chamber, which are connected with this clause. That is all very well,

but we must deal with the clause as we find it in the Bill. This is not the first time that the right hon. Gentleman has proposed to make protection by some kind of double Chamber for the Irish minority. For seven years he has been re-considering the scheme he produced in 1886, and the result is that the present proposal, in every respect in which it differs from the first, is far worse. There is no protection whatever in the present Bill. The Second Chamber, as now proposed, far from affording protection from the dangerous influences which we most fear in the First Chamber, will really tend to aggravate them. The right hon. Gentleman says that there is every disposition on the part of the Nationalists to go as far as possible in meeting the wishes, and what he considers to be the fears, of the minority in Ireland. I shall look forward with great curiosity to the votes which the Nationalist Members may give from time to time as Amendments are brought forward in order to test the real views and intentions of the Government and of their Irish allies. I want now to explain very shortly why it is that, approving as I do of the principle of a Second Chamber in every country where the Government is conducted on representative lines, I am prepared in this particular case to support the Amendment of my hon. Friend. I, myself, confidently believe that this Bill will never pass. I do not believe that this Bill or anything like it would ever have been proposed were it not that the Prime Minister with his great influence in the country hastily adopted such a scheme, and found himself compelled to persevere with it. I do not think this Bill or anything like it will ever pass, and in the part I shall take in this discussion and any other discussions during the progress of the Bill I shall be guided entirely by the influence which I believe the discussions in Committee will have of making the Bill every day more detestable. This provision under discussion has been put into the Bill obviously and professedly as a sweetener of the bitter pill. It is put forward as a safeguard and a protection for the minority, whom the vast majority of the people of the Three Kingdoms, whatever they might think of Home Rule in principle, were determined should be really protected in any

proposals for the extension of local government to Ireland. But of all the delusive and misleading provisions with which the Bill is stuffed this is the most delusive. It is not only that people outside might naturally suppose that the institution of a Second Chamber was introduced into this Bill for the purpose of giving protection to the minority in Ireland, and might, therefore, be misled into thinking that some protection was really given to the minority by the proposal; but the Prime Minister has done his best to give importance to the proposal as a satisfactory protection of the minority in Ireland. The right hon. Gentleman in introducing the Bill said that he considered the Legislative Council—

“As affording the fairest, most Constitutional and most unexceptionable method of redeeming the pledge which they had given to meet the expectation which they had repeatedly held out, that they would, if they could, give the minority some means of vocal expression, and of securing fair and liberal consideration for their views.”

That would naturally produce in this country the impression that the clause really secured not only the vocal expression of the views, but the full and fair consideration of the views of the minority. I pass by the right hon. Gentleman's reference to the effect of Second Chambers in the Colonies, because the circumstances of Ireland and the particular object for which this provision is supposed to be introduced does not exist, and never have existed, in any of the Colonies where Second Chambers have been instituted. I say that the statement of the Prime Minister in introducing the Bill held out the distinct hope to the people of England that he had, in the proposed Second Chamber, provided for the full and fair and satisfactory consideration of the views of the minority; and to-day the right hon. Gentleman insisted on the great advantage that would be secured in the delay in legislation which the Second Chamber might produce—a delay, he said, which would give the opportunity for the full consideration of the views that might be put forward by the minority, and which would give character, dignity, and stability to the proceedings of the new Irish Legislature. But anybody who looks at Section 8 of this Bill will see the whole delay that would be interposed

to the action of a domineering majority supporting an imperious Minister by the interference of the Second Chamber—supposing, for the sake of argument, that it took a different view on the question submitted to it from the view of the First Chamber—would be little more than three months. I am aware that there is an alternative suggestion of two years' delay; but that is nugatory and worthless; for if a Minister wishes to push his Bill in spite of the opposition of the Upper Chamber, he has simply to dissolve the Assembly; and if he were returned to power again no further delay could be interposed. All the Minister would have to do would be to advise the Lord Lieutenant to dissolve the Assembly, and then there would be no practical delay beyond four or five, or even six months at the most, in giving effect to his wishes. But I deny altogether that there is any hope or ground for reasonable expectation that there would be any substantial opposition in the Second Chamber to proposals carried in the First Chamber against the wishes of the minority of Ireland. I do not wish at any length to go over the arguments which I submitted on this point on the Second Reading of the Bill. But no answer has been given to those arguments by the Government. No answer has been given to my argument that the effect of the particular franchise which has been chosen would simply be to return to the Second Chamber a class of Representatives not materially different, in sympathy, in education, or in capability for judging great and important questions of policy, from those who would constitute the First Chamber. There will be no distinction as regards the minority between the views entertained by the majority of the Upper Chamber and those entertained by the majority of the Lower Chamber, except so far in this way: that I believe myself that the Second Chamber, which is put forward as a great protection to the minority, will be less enlightened than the other, and that there will be less chance of obtaining independent support in the Second Chamber from any section of those whom we know as the Nationalist Party than there would be in the First Chamber. The Representatives in the Second Chamber of the South and West of Ireland would, except so far as

the three boroughs in the 48 seats are concerned, practically be returned by the tenant farmers, the very class who are most under, if I may use the expression, the thumb of the Catholic priesthood in Ireland. What are the chief dangers to which the Irish minority would be exposed from a domineering majority under an Irish Parliament—danger to their property and undue religious interference, and in both these respects the tenant farmers would be more powerful in the Legislative Council than in the Legislative Assembly, because they would be more under the influence of the Catholic priests. Therefore, I say that the minority would have a worse chance in the Legislative Council, as proposed to be set up by this Bill, than they would have in the Legislative Assembly—for, at all events, the Representatives in the Lower Chamber of the boroughs, where intelligence is greater, and where education is not so backward—might be supposed to contribute some element of independence and some basis of alliance to resist the overwhelming, preponderating influence of the tenant farmers and Catholic priesthood of Ireland. There is one other ground on which I wish to resist this proposal. I have said that my chief reason for objecting to this proposal is that, if carried, it would be likely to mislead and humbug English voters by leading them to believe that there is some protection for the minority in Ireland; but I object to it also from this point of view: Supposing the Bill were in actual operation, the only safeguard of the minority in Ireland would be in this Imperial Parliament; and I say that if this Bill were to pass, it is far better that the absurd inconsistencies and injustice of these proposals should be submitted in the first instance to the English people, and afterwards to the Imperial Parliament in their naked deformity than that they should be concealed in such a misleading and utterly bogus proposal as this Second Chamber.

\*MR. HUNTER (Aberdeen, N.) said, the question now before the Committee was the most important that had yet come before it, and was one of the most important questions that could come before the Committee, and he did not desire on this Motion to give a silent vote. They had two schools in the matter of

Second Chambers. One said that no system of representative government could work unless there was a double Chamber, and the other said that under no circumstances, in no place, at no time, should a Second Chamber of any form whatever be established. He was not able to accept either of these extreme propositions; but in this particular case he could not disguise from himself the fact that the proposed Legislative Council was, in its essence, really a limitation of household suffrage. It was a proposal to take away a part of the power which had been conferred by the Suffrage Act upon the people generally of Ireland. He was perfectly prepared to admit that if they were to have anything of the nature of plural voting, they could scarcely adopt a system which would be less offensive than the form of a Second Chamber. But as a believer in the principle of democracy, he was entirely opposed to all limitations upon the right of the people to vote. He thought there was a strong presumption—he did not put it higher—against such limitations, and he thought the general experience of mankind had shown that in the large majority of cases Second Chambers had been either useless or positively mischievous. Having that general view, what was the position he ought to adopt with regard to the Amendment? He would say frankly that if it were proposed in a Home Rule Bill for Scotland to introduce a Legislative Council such as was proposed in the present Bill, he would rather have no Home Rule Bill for Scotland than have it with such a clause. It would meet with the most strenuous opposition. But he must not forget that the circumstances of Ireland and Scotland were not identical. They had no loyal minority in Scotland. The reason why they had no loyal minority in Scotland was because they had never had the ascendancy of an Episcopalian party in Scotland. If the English Government of many years ago had succeeded in imposing upon the Scottish people an Episcopalian ascendancy party, he did not doubt that they should have had a loyal minority in Scotland. But they were happily free from that; and in the circumstances of Scotland, he should say there was no justification or excuse for attempting to limit the exercise of household suffrage by any bi-cameral



scheme. Both sections of the Irish Members were prepared to make what was for them as democrats an enormous concession of principle. They were prepared to accept the Second Chamber, and that was a concession in the interests of conciliation and peace. It might be, as the right hon. Gentleman (Mr. Plunket) had said, that the loyal minority were not satisfied with that large concession. But when he (Mr. Hunter) found that the Irish Members—who, after all, must be taken to have as good means of forming an opinion of what was advantageous for Ireland as he had—were, in the peculiar circumstances in which they were placed, prepared to accept this undoubted limitation of the democratic power, he looked upon that as an augury of the happiest character for the future. It showed a disposition to go very far, indeed further than the limits of logic or strict reason justified, in order to—he would not say to receive the support—but to remove the difficulties of every portion of the country. In these circumstances, he considered that if he were to vote with the hon. Member for South Tyrone who, by the way, was not an Irishman, and to vote against the views of the Irish Members, he should feel that he was sacrificing to political pedantry on an important practical point.

\*MR. JAMES LOWTHER: I am desirous that no misapprehension shall exist, so far as I am personally concerned, as to the grounds on which I endorse the proposal submitted by my hon. Friend the Member for South Tyrone. Those who, like myself, consider an efficient Second Chamber to be essential in any political arrangement are entitled to support the Amendment on the ground that the proposal of the Government does not provide an adequate and efficient Second Chamber, possessing strength and independence enough to discharge the important Constitutional duties allotted to it. The Prime Minister, in his previous attempt to settle this question, constituted a House of Lords that sat in conjunction with an elected body as a Second Chamber. It is needless now to enlarge upon that plan, for the Government have realised that it did not meet the requirements of the situation. In the plan now before us the hereditary element has entirely disappeared. I am not myself disposed to find any great

fault with the omission of the hereditary element, for, although strongly of opinion that no political arrangements are deserving of the approval of Parliament which fail to obtain a strong effective Second Chamber for the purpose of safeguarding the interest of the country, I am not so wedded to the hereditary element to make its absence from one of the Chambers a fatal objection, so far as I am concerned, to the plan submitted to us. I cannot but admit that in the case of Ireland the Irish Peerage have ceased to be strongly representative of the landed interest of the country as it was originally intended to be. I will not go into the causes which brought this circumstance into existence, but it is patent to all that the Irish Peerage, if invested with legislative functions derived from the hereditary principle, would not possess that inherent strength which would be possessed by a body largely interested in the soil of the country. On that ground I am not disposed to find any fault whatever with the Government for having failed to include the hereditary element in their new Constitution for Ireland. But what is the substitution which they have provided in this Bill? They have provided a so-called Second Chamber—whether it should be called a First or Second I do not undertake to lay down as a matter of Constitutional practice; but, at any rate, this Council is a Body which appears to me in no shape or form to fulfil any of the requirements of a Second Chamber in any Constitutional arrangement. What does it represent? It represents a class which, as my right hon. Friend the Member for the University of Dublin (Mr. Plunket) reminded the Committee, are not such as possess the character for independence which would render it safe to place political power to any great extent in their hands. I go further, and say that this Chamber would represent the class most prominently associated with disloyalty and crime and outrage than any other class in Ireland. I must remind the Committee that the outrages and the scenes of violence and disorder which have made Ireland a bye-word amongst the nations for many years past have not been committed by what are called the rabble in towns, but have been the work of those who would elect the Body which the

*Mr. Hunter*

Prime Minister asks us to create. The tenant farmers of Ireland, who would be registered as voters under this proposal are, I venture to say, the class that is more especially associated with the Plan of Campaign, with moonlighting outrages, and with other proceedings which have made their country a disgrace. And that is the Body which the right hon. Gentleman asks us to rely upon as providing a check upon any un-Constitutional action of the other portion of the Legislature, and on which loyal subjects might rely upon for protection. Could there be a greater mockery than a proposal of that kind? I say that an inadequate Second Chamber is worse than no Chamber at all; a Second Chamber which does not possess independence, which would give way to popular clamour would be a great danger, and I think it would be better to be without a Second Chamber than one so constituted. What tendency would this Second Chamber created by the Bill have to resist popular clamour? It would be elected by the persons who have been organising all the popular revolutionary movements which have been going on during the last few years; it would be a Chamber more especially representative of disorder than any which could be elected by means of an appeal to the urban population of Ireland. At this moment the urban representation of Ireland is far superior to the representation of the rural portions of the South and West of that country. So far from the franchise which the right hon. Gentleman suggests affording any guarantee whatsoever, or holding forth any hopes in any shape or form of a controlling force to be called into existence, it would be more especially the means of bringing about the representation of the criminal classes in that country. When I speak of the criminal classes, I mean those who have made crime and outrage their main occupation for years past. I think the Committee is perfectly aware that the net result of elections held under this proposed Constitution would be that the South and West of Ireland would be largely predominant elements not only in the composition of the Lower House, but also of the Legislative Council or Upper Chamber, and we should be landed in this position: that the loyal classes in Ireland would have to rely for their protection upon a Body which could

not be relied upon to afford that protection. This Upper Chamber is a sham, and but for this reason I feel sure it would be very heartily opposed by hon. Gentlemen below the Gangway on this other side of the House. The grounds upon which I and my hon. Friends support the Amendment is because, while we are determined to insist upon the Government replacing this sham Chamber by some effectual Constitutional safeguard, we consider the Legislative Council proposed to be worse than useless. It must be understood that we do not abandon our insistence upon the creation of an effective Second Chamber. While I candidly own that, I hold the same principles as my right hon. Friend the Member for the University of Dublin (Mr. Plunket)—namely, that I would vote for any proposal which I thought would smash this Bill, at the same time I do not wish in so doing to abandon principles which on general grounds I steadfastly entertain. Upon the grounds that this proposal in the Bill is a sham, that it will do a vast deal more harm than good, that it will create a false impression and expectation—upon these grounds I shall support my hon. Friend who moved the Amendment, and I hope the proposal will be omitted from the Bill.

MR. S. WHITBREAD (Bedford) said, he did not wish at this stage of the Bill to enter into a discussion as to what should be the position of a Second Chamber, which was not the question immediately before the House. He frankly said at once that he was in favour of a Second Chamber, and he was content to rest his support of the Second Chamber upon the experience of the world, upon the experience of all free peoples who had tried to do without a Second Chamber, and had ultimately come back to an Upper Chamber. But what he rose for was to take the earliest opportunity of noticing what seemed to him to be an absolutely new departure in Parliamentary practice. He had listened with surprise and pain to the right hon. Gentleman the Member for Dublin University when he proclaimed that it was his fixed intention to take this and every opportunity to try to make this Bill more hateful in the eyes of the people of this country, and more unworkable. He had never heard such an astounding state-

ment made by one who had held responsible office. He had read what was said out-of-doors last Saturday by the Leader of the Opposition, and he looked upon it as mere reckless outside oratory; but he never expected to hear such language used in that House, and apparently with the full approval of a great many of the Front Opposition Bench. The right hon. Gentleman who had just sat down said he would not, for Party purposes, abdicate great principles. Was that the doctrine of the right hon. Gentleman the Member for Dublin University? To deliberately try to make a Bill in its passage through Committee more hateful to the whole world and more unworkable was the worst piece of political gambling he ever recollected. Hon. Members said they did not believe the Bill would ever pass, and would take care that it should not pass. Well, it was possible it might pass, and in what position would the right hon. Gentleman and his friends be then, who had made the Bill more unworkable, and, as they thought, more hateful and detestable, than it now was if it should pass? One could understand words and ideas of that kind being given utterance to in a moment of temper and passion; but he could not believe it would be a deliberate policy pursued by a great Party.

MR. RENTOUL (Down, E.) said, the hon. Member for Bedford, who had last addressed the House, told them to accept the Upper House—the House of Lords. That was naturally what they would expect from an hon. Gentleman who was very likely to go to the House of Lords, and it would be rather suicidal policy of him to want to abolish the House of Lords, because, like the rest of the brewers, he would probably end by going there. He himself was not opposed in the slightest degree to Second Chambers; the very reverse; therefore it must not be assumed that those of them on that side of the House who were supporting the Amendment were doing so because of their objection in any sense to the House of Lords. But it was quite possible for one to object to a wretched caricature when they would not object to the reality; and the higher their estimate of the House of Lords as a Second Chamber the more desirous they should be to object to this wretched Second Chamber which was about to be set up in Ireland.

*Mr. S. Whitbread*

With regard to the Second Chamber in England, there was a certain amount of dignity attached to it. Gentlemen were often anxious to enter that Chamber on account of the dignity; but where would be the dignity attached to the Second Chamber in Ireland? Members for that Second Chamber would require no qualification of income, education, or anything else; and they would be elected, for all practical purposes, by the same electors as would return Members to the Legislative Assembly. Almost all the counties would return Members of the very same political colour to the Upper House as to the Lower House or Legislative Assembly; and, that being so, this Chamber would have no dignity or position of any sort or kind. If this Second Chamber were put forward on the ground that it would stay hasty legislation, he should be willing to vote in favour of it. But, as he understood, this Legislative Council was inserted in the Bill not for the purpose of being a check on hasty legislation, but as a safeguard to the loyal minority in Ireland. It was because it was represented as a safeguard that he objected to it. It absolutely failed to be a safeguard, and he thought there was nothing in this world so bad as a delusive safeguard. It lulled into sleep those, perhaps, who were to be safeguarded by it; and, on the other hand, it acted as an irritant on the majority against whom this safeguard was framed. If an Irish Parliament were to be established, and the loyal minority were to be given over to the majority, he should infinitely prefer they should be given into their hands without any check whatever. With regard to plans in the matter of safeguards there could only be three. There could be no safeguards at all; there could be sham safeguards of no value whatever; and there could be real safeguards—or rather they were told that there could be real safeguards—but, for his part, he had never been able to see how they could possibly safeguard a Parliament. Therefore he, for one, would desire this matter of safeguards to be dropped altogether if this Bill passed. The feeling of the English people was that they would not establish a Parliament in Ireland unless the minority were safeguarded; but they (the Unionists), as Representatives of the loyal minority, repudiated entirely this Second Chamber

as a safeguard, and it would do them a great deal of harm rather than good. The Prime Minister said that the Nationalists desired to accept this Second Chamber, not because they liked it, but because they desired, as far as possible, to conciliate the loyal minority. Well, they might stop in that desire at once, for this did not conciliate, it irritated the minority. The main object the hon. Member for South Tyrone had in putting this Amendment on the Paper was to make known thoroughly to the electors of this country that this was no safeguard to the minority, and was of no value to them from any point of view. The Upper Chamber which was to safeguard them was to be composed of 48 Members. Calculations were made as to how many of these would be Unionists on the franchise on which that Chamber was founded. The hon. Member for South Tyrone said his calculations led him practically to the length of 20 as a maximum. The hon. and learned Member for Mid Armagh said his calculations led him to 10, and a Nationalist Member of that House the previous day showed him (Mr. Rentoul) his calculations, and they led him to the length of 12. Altogether it seemed clear they would not have one-half of the Members of that Chamber that was to protect them, and it was a strange fact that no one who had yet spoken on behalf of the Government had attempted in any way whatever to show them that they would have a majority, or were likely to have a majority, on the Legislative Council. If, then, the majority was to be a Home Rule majority in the Legislative Assembly and in the Legislative Council, it was very difficult to see how this Upper Chamber would serve the minority from any point of view. Since that Amendment was moved some of the Radicals had hinted that they were looking forward to the time when the Second Chamber in England would be abolished. That was the desire of many Radicals at the present time. [An hon. MEMBER: Hear, hear!] The hon. Gentleman opposite said, "hear, hear;" but he would ask him how did he purpose to abolish the Second Chamber in England? Was it by vote of the Lower Chamber or by a revolution? If he purposed to abolish it by vote of the Lower Chamber, would there not then be

a precedent for the Lower Chamber in Ireland to abolish the Upper Chamber in the same way? However, the one point they wanted to make in the matter of this Amendment was to impress upon the people of England that the Loyalists of Ireland with one voice repudiated this Upper Chamber entirely as being no safeguard or of any value to them from any conceivable point of view. The Chief Secretary and the Home Secretary, in the Second Reading Debate on this Bill, in substance, said—"If you are to regard the majority in Ireland as a parcel of rogues and vagabonds, then no safeguards will be of any use." [Mr. J. MORLEY: Hear hear!] The Chief Secretary applauded that statement. That was to say, they must regard them either as honest men or as dishonest men. Politically, they were absolutely dishonest from their (the Unionist) point of view, or absolutely honest. If they were absolutely honest, then, he said, let them have no safeguards of any kind. If they were absolutely dishonest, let them have safeguards that would prevent them from being able to do the loyal minority in Ireland any harm. If the Chief Secretary spoke on this Amendment—as he hoped he would—he should greatly like the right hon. Gentleman to point out how this Upper Chamber would safeguard the landlords of Ireland from any possible point of view. The Upper Chamber would be returned by the votes of the tenant farmers even to a greater extent than the Lower Chamber, and by the vote of the smaller tenant farmer. How, then, would it safeguard the landlord class, who would need most of all to be safeguarded? How would it prevent them being robbed of their possessions by the Irish Parliament, which would receive a very strong mandate in this direction? If they were to be safeguarded under a sort of perpetual police protection by means of this Upper Chamber, let it be effective police protection, let it be done in the right and proper way, and not have held over them a sort of paper safeguard which any gentleman could kick through any moment he liked. He was not against a Second Chamber, but he was strongly in favour of a proper Second Chamber, such as we had in this country, and it was his respect for Upper Chambers that prevented him desiring to see a thing of

this sort put in a place of so-called dignity and represented as an Upper Chamber. The Prime Minister had remarked that this clause of the Bill was not the occasion to refer to the Legislative Council, and that it should be deferred until later on. But in the clause they were discussing reference was made to "the" Legislative Council and "the" Legislative Assembly. If this section of the Bill established a Legislative Council, then he agreed this would not be the time to discuss the composition of that Council; but the word "the" clearly brought in the composition of the Council, because it was a particular Council formed in a particular way. That being so, it was impossible for anyone to see the word "the" without casting his eye down the Bill to see what that "the" meant. When drafting this part of the Bill the framer had before him a definite Legislative Council established in a definite way, and composed of a definite number. Therefore he submitted that it was in Order to discuss the composition of this Legislative Council; and, in point of fact, it would be perfectly idle to speak on this matter at all unless they entered into the composition of it, which was the whole question, because there could be no Legislative Council formed that would be a safeguard. If there was a Legislative Council of 100 Members nominated for life, and if all those Members were Unionists, who forfeited their seats if they ceased to be Unionists, that, no doubt, would be a safeguard. At any rate, it would be a real safeguard, whereas the one they were offered was a sham. The idea of a Legislative Council to be composed of Unionists nominated for life, let them know something of the difference between the strong and vigorous reality and the weak and drivelling sham, because that was all the proposed Legislative Council was; and it was on that ground—on the ground of the utter absurdity and uselessness as a safeguard of this Legislative Council—that he desired to support the Amendment.

\*MR. JUSTIN MC CARTHY (Longford, N.): Mr. Mellor, I hope I may be allowed to recall the attention of the Committee for a moment to the question that we have been engaged in discussing, or rather, I should say, that we are sup-

posed to be engaged in discussing. The clause proposed to be amended contains these words—

"On and after the appointed day there shall be in Ireland a Legislature, consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly."

The Amendment proposed is to leave out certain words which, when left out, reduce the Legislature to Her Majesty the Queen and the Legislative Assembly. Therefore, the Amendment proposed intends to prevent Ireland from ever having a Second Chamber. If the clause is passed in such a way it does not matter what the constitution of a Second Chamber might be. The Second Chamber is denied to Ireland by those who vote for the Amendment. The right hon. Gentleman the Member for the Isle of Thanet (Mr. James Lowther), in vigorous words, denounced the Second Chamber as a sham and an imposture. If I were to consider the whole process of this Debate it is not to a Second Chamber that I should apply the words "a sham and an imposture." We have heard in this discussion a great deal of what I cannot help calling simulated passion and rage that went beyond ordinary conceivable hyperbole. Now, what are we to think of the sincerity and straightforwardness of men who get up one after another and say that they are devoted in principle to the existence of a Second Chamber, and that, therefore, because of their ultra-devotion, they are going to vote against any kind of Second Chamber for Ireland? Of course, there has been a frank expression of opinion from our point of view. We cannot object to that course. The right hon. Gentleman the Member for the University of Dublin (Mr. Plunket) was so blunt and so frank as to say that he wanted to make this Bill more detestable than ever it was. [An hon. MEMBER: He cannot.] Well, if he wants to make the Bill more detestable than ever, of course he is right enough in trying to strike out this clause granting a Second Chamber.

MR. TOMLINSON (Preston): I rise to a point of Order. The right hon. Gentleman (Mr. Plunket) is not in his place, and what he merely said was—*[Loud Irish cries of "Order!" amid*

which the hon. Member resumed his seat.]

THE CHAIRMAN having called on the hon. Member for North Longford to proceed—

MR. M'CARTHY, continuing his speech said: We all heard what the right hon. Gentleman said. He spoke, as he always does, with remarkable clearness, and there was no possibility of even the dullest person mistaking him for one moment. An hon. Member below me, an Ulster Member, said that nobody could make this Bill more detestable than it is at present. Then why be at the pains of trying? Cannot the Bill be allowed to go through with all its supposed horrors on its head, and thus save us the trouble of this controversy kept up almost altogether by gentlemen who say that their whole heart and their whole feelings go one way while their vote is bound to go another. I have not heard in the course of this discussion a single word from any hon. Member belonging to the Opposition which suggested in the remotest degree what manner of Second Chamber he would accept as being capable of meeting the necessities of the case. There was, indeed, a suggestion made or hinted at by the right hon. Gentleman the Member for the Isle of Thanet that he thought some revival of the Irish Peerage might be almost good enough. Well, hon. Members of this House who believe in the re-galvanising of the Irish Peerage have an amount of hope, and faith, and imagination which surpasses the most poetic intellect. Then I believe there was a suggestion made by another hon. Member—I forget whom—some suggestion that there might be a Chamber of hereditary legislators. I am afraid he would find it rather difficult to establish a Chamber of that kind which could secure the confidence and affection of the Irish people. But I think it is a strange and even an extraordinary thing to find hon. Member after hon. Member in the ranks of the Opposition getting up and enunciating two absolutely conflicting opinions—first, that there ought to be a Second Chamber everywhere; and next, that there ought to be no Second Chamber in Ireland, because that Second Chamber is not acceptable to them. But, Mr. Mellor, I am more concerned to state frankly what the position is—what

the views of my Colleagues and myself with regard to this Amendment are. We know that there is in Ireland, and possibly in England, a certain fear that the interests of the minority might be overborne under possible conditions by the strength of the majority. We are also assured that to meet that possible dread or susceptibilities of that kind the most convenient form of protection for minorities would be the creation of a Second Chamber. I am not now going to say a single word about the constitution of a proposed Second Chamber. We are now discussing the question of the principle, as the right hon. Gentleman the Member for Midlothian clearly and eloquently pointed out in the early part of the Debate. People are asked now to affirm the principle that there shall be a Second Chamber in Ireland. As we are assured that this form of a Second Chamber would be the most effective, ready, and convenient means of protecting every interest of the minority in Ireland, we, on that account, are perfectly willing to assist in the formation of a Second Chamber. We know and appreciate the immense amount of interest in the Nationalist life of Ireland which is taken by hon. Members on this side of the House, and by some on the other side of the House. We are spurred on by them to make magnificent assertions of the dignity of Irish nationality. We know perfectly well what that is done for. We know how much hon. Members who use those generous and kindly appeals to us ever cared for Irish Nationalist sentiment.

MR. W. REDMOND (Clare, E.): We care just as much as you do.

\*MR. M'CARTHY: I was referring, of course, to the Members of the Conservative Party, and for the sake of old associations I shall pass over an interruption of that kind with the charity of silence. I would recommend hon. Members of the Conservative and of the Unionist Party to leave Irish National sentiment in the care of Irish Members. I have heard hon. Members say that a Second Chamber ought to be regarded as an insult by the people of Ireland. The people of Ireland regard it in no such light. There may be in my own Party, as in other Parties, hon. Members who are not in favour in general of the policy or principle of a Second Chamber. There

are many other hon. Members who are convinced by experience and by observation that a Second Chamber is an advantage in every country. There are many men who quite appreciate the arguments of the right hon. Gentleman the Member for Midlothian, when he pointed out that the common experience of all or nearly all countries is in favour of a Second Chamber; but, however that may be, we are quite willing to give so much consideration to the interests, and probably the honest and sincere alarms of the Irish minority, or some of them, we are quite willing, I say, to give so much attention and regard to that sentiment as to be willing to accept a Second Chamber as a convenient and proper institution in Ireland. That is all the length we go at the present stage of the Debate. We have nothing to do with what hereafter may be proposed as to the construction, or position, or constitution of that Second Chamber. All we say is this—if there be a desire on this side of the water and on the other that a marked and distinct protection should be given to the minority by means of a Second Chamber, that proposal has our most cordial and ready acceptance. We have heard an argument quoted to-day that there cannot be even a fair Conservative minority in the Second Chamber under an Act like this; that even Ulster cannot have her fair representation; but are we not told that Ulster possesses the great bulk of the wealth, and the influence, and the intelligence of Ireland? Are we not told that she has the strength, the brains, the money, and the power in Ireland? And, under these conditions, is it possible to suppose that Ulster cannot make her voice heard in the Second Chamber of the Irish Legislature? I cannot believe that there is the slightest danger of stifling the voice of Ulster in any Constitution that can be framed for the Irish people. And I go farther, and say there is no desire amongst the Irish Members or the Irish people that Ulster Toryism should not have its full weight, its full representation, in the National Councils. It is strange to me that with all that great intelligence and power there is no Ulster Member who tries to suggest, even remotely, some means by which the danger he seems to fear, the danger of the obliteration of Ulster influence in the National Councils, can be got over. But this is

*Mr. M'Carthy*

what I wish to impress on the English people at the present moment—that we are quite prepared to accept the principle of a Second Chamber. We accept it because we believe it might be a safeguard in trying and momentous times against anything like too rapid legislation, and therefore would be a guarantee for the safety of the minority. On these grounds we accept it, and on these grounds we support it.

SIR JAMES FERGUSSON (Manchester, N.E.): I have not troubled the House or the Committee hitherto on this Bill. That is not because I have not taken a great interest in it, and I desire now to say a few words on this Amendment. I am in this difficulty. While I desire to support the Amendment, I am unable to agree entirely with the reasons of the hon. Member for South Tyrone; but while I agree with the premises stated in the speech of the right hon. Gentleman at the head of the Government I am quite unable to agree in his conclusions. As regards in the abstract the principle of a Second Chamber, I am entirely in favour of it, as a general rule. Therefore I have a difficulty in voting with the hon. Member for South Tyrone in opposing altogether the inclusion of a Legislative Council in the scheme of the Bill. On the other hand, the hon. Gentleman and others have opposed the enactment of this Legislative Council on the ground that its composition is so illusory as a measure for the defence of the loyal minority in Ireland that it cannot for a moment be accepted. On that point I am unable to deny the weight of the reasons stated by the Prime Minister, who said that if the composition of the Legislative Council as proposed in the Bill was unsubstantial it was open for the Committee in dealing with the subsequent clause that provides for the composition of the Body to so amend it that it will provide, in their opinion, a sufficient safeguard for the minority in Ireland. I have in my own experience seen the working of many Second Chambers. The Prime Minister referred to the composition of the Legislative Council in the various Colonies. There are in some of the British Colonies nominative Chambers, some of them with a limited number and some with an unlimited number of Members. There are Legislative Councils elected by the whole Colony voting in

one constituency with a restricted franchise; and there are some Legislative Councils elected by constituencies carved out of the Colony similar to that provided by this Bill. And, again, there are cases in which the whole Legislative Council is dissolved together, and cases in which the Members go out in certain numbers and at different times. My experience has been that of all the different kinds of Legislative Council those which cause the most jealousy in the Lower Chamber are those which are elected. In Victoria and South Australia, for instance, frequent quarrels have taken place over the interposition of the Legislative Council in legislation against the wishes of the Lower Chamber. Most Members will recollect the case in which the Upper House declined to pass a Bill for the payment of Members, whereupon the Assembly tacked it on to the Appropriation Bill. The Upper House threw out the Appropriation Bill, and the Minister of the day dismissed the whole of the public officers who were paid by the annual Vote. On the other hand, in the Colonies where the Legislative Council is nominated I have not seen any of these jealousies arise. But my objection to the present proposal is of a different character. It is on all-fours with the objection expressed in the previous Debate as to the character proposed to be given to the Legislature in Ireland. There have been attempts made to assert, by distinct enactments in the Bill, declaration of the supremacy of the Imperial Parliament; but I think that these proposals, though just and logical, are somewhat unsubstantial, because the declaration of the supremacy of the Imperial Parliament in the Preamble is about as illusory as the suzerainty of Her Majesty in the Transvaal. The Irish Legislature is not to be called a Parliament. There is not much in the name of a Parliament; but it will be a Parliament to all intents and purposes, and it would not be long before it asserted its rights to wider powers, and to secure by its influence in this House much larger concessions. The Prime Minister mentioned as the sole case of a Colonial Legislature that had obtained the name of Parliament the Parliament of the Dominion. That is a Parliament in all its attributes, because

VOL. XII. [FOURTH SERIES.]

it has secured to it a long list of functions, such as the right of control over trade, navigation, shipping, and commerce, weights and measures, and all those other matters which are expressly reserved by this Bill from the power of the Irish Legislature. The hon. Member also mentioned the only cases in which he said that a Legislative Council of some kind had not been appointed as part of the Legislature—namely, the Provincial Legislatures of Canada, and said he would not refer to them, as they were not cases in point. But I venture to say that they are precisely cases in point. If we desire that the Legislative Body in Ireland should not be a Parliament, but a delegated Legislature with statutory powers; that it should be confined to those statutory powers, restricted in its functions; limited, as the Provincial Legislatures of Canada are limited, by the reservation of Parliamentary powers to the Dominion Parliament, then it would be appropriate, natural, and safe that it should not have a Legislative Council, which is the natural portion of a Parliament. That this Legislative Council might really be made a safeguard I do not deny. In 1886 the right hon. Gentleman proposed that it should represent the Peerage and property and all those who would have an interest in the preservation of law and order, and in the safeguarding of property; but there is no such proposal in this Bill. We have only a proposal for a Body to be elected by small tenants who would also elect the great majority of the Members of the Legislative Assembly in Ireland. It would be impossible to make such a Body a safeguard. But my point is that we should have no Second Chamber, because we should have no Parliament; and it is with that view, and not with the view stated by the hon. Member for South Tyrone, that I intend to support his Amendment.

\*MR. RATHBONE (Carnarvonshire, Arfon) said, he had listened to the Debate with great interest, as it touched upon a subject which he had studied in other countries. Reference had been made to the experience in America, which had a Second Chamber praised by almost every writer and speaker on the subject. Lord Salisbury had said that

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they might view that Second Chamber with envy even in England itself. What was the principle in that Second Chamber? The principle was that of selection by the Representatives of the people. They would like to know why they could not apply that principle to Ireland? It might be said that they did not possess the materials for doing this in Ireland. But one of the first acts of the Irish Legislature would be to appoint County Councils, and then they would have the material to form a Second Chamber in Ireland. As soon as the County Councils were in a position to choose the Senate, they might be allowed to do so; and until the Senate was so chosen, the system provided by the Bill might fairly be accepted as a provisional arrangement until a more stable system could be formed. The County Council would send their best and most experienced men to the Senate; and it would possess the good qualities now seen in the American Senate.

\*MR. COURTNEY (Cornwall, Bodmin) said, the right hon. Gentleman the Member for North-East Manchester had given an interesting and valuable statement of his Colonial experiences in the matter of Second Chambers; but he was bound to say that the right hon. Gentleman did not make plain to him why he had adopted the conclusion at which he had arrived in regard to the Amendment. The right hon. Gentleman was not alone in that respect. The characteristic of the Debate had been that, whatever side hon. Gentlemen had professed their intention of voting upon, they had begun by saying that in principle they belonged to the other side. Hon. Members who were in favour of a Second Chamber proposed to vote against the Second Chamber; and hon. Members who were against the principle of a Second Chamber proposed to vote for the constitution of a Second Chamber. These remarkably incoherent arguments and conclusions would, perhaps, be maintained to the end, and he only hoped he would not fall into them himself. But his object in rising was to explain why he felt constrained to differ from his hon. Friends, and why he should

*Mr. Rathbone*

vote against the Amendment of the hon. Member for South Tyrone. He did not say that the argument of experience was conclusive, or even that the argument *a priori* was not open to some obvious objections; but he thought that experience did justify what was said by his right hon. Friend at the head of the Government in the speech which he delivered to a too thin Committee earlier in the day, that, on the whole, Second Chambers had worked well throughout our Colonies. He was afraid it was true that there was more discontent with them than the Prime Minister was disposed to recognise, and that there was a disposition, which in one or two places had ripened into action, to do away with them. But this feeling had been founded more on the expenses attendant on the institution of a Second Chamber than upon the political injury supposed to be derived from its existence. He ventured to say that in the arguments which had weight with many who wished to abolish Second Chambers—such as the irritating bar Second Chambers had afforded to rapid legislation, and the hindrances sometimes placed in the way of measures being put on the Statute Book which the majority of the voters in the Colonies wished—there had been a neglect to consider the advantages that had accrued on the other side, from that inability which beset politicians like other men to imagine what would happen if the system which prevailed had not prevailed, and if a totally different system had been in operation. They knew the inconveniences of a Second Chamber, but they were unable to realise the evils a single Chamber would involve. He thought that the weighty reasons advanced by the Prime Minister ought to be recalled to the minds of the Committee, that a Second Chamber did at least afford this advantage—that, however little a Second Chamber might be differently constituted from the First Chamber, there was always a tendency on the part of the Second Chamber and its Members to look at questions brought before the Legislature from a point of view of their own. There was a disposition to differ from the other Chamber, which was useful in causing the other side of the question to be properly discussed and brought before the community

which was represented by the Legislature. There was also the great advantage, as his right hon. Friend had pointed out, of securing time for second thoughts. He asked any hon. Member, therefore, whether there was not at least a risk in Ireland, if a single Chamber was constituted, of seeing in the action of that Chamber rapid, impulsive, not always reflective action; whether there was not a risk that such a Chamber would be too hasty in its judgment, and perhaps unjust through its haste, and whether the mere possibility of delay in respect of Ireland, and considering the circumstances of Ireland, was not a thing to be desired? He went further, and said that in a purely democratic sense and spirit, as long as they had Chambers elected as they were and would be, if they wished to make the Legislature representative of the minds, will, thought, feeling, and interests of the country over which it ruled, they ought to have some means of getting represented not only impulse but hesitation; not only action but hesitancy; that despondency should be represented as well as resolution; and that the doubts and fears which existed in the community should, as well as the hopes and confidences, be reflected in the Legislature. Those great advantages could only be secured through a Second Chamber. It might be said all this was in the air. He was only repeating, in less eloquent and less powerful words, the arguments used by the Prime Minister, and those arguments would have to be considered in the future course of the Bill. The Committee was now really discussing the question whether they would permit any Second Chamber, and not whether the particular Chamber in the Bill should be adopted. As for that Second Chamber, it was urged that it was a sham, and that it would be no check, and that it would only represent the same classes that would be represented in the First Chamber. He believed that to be true. He had no hesitation in accepting that conclusion, and making it his own. This Second Chamber would be a tenant farmers' Chamber, just as the First Chamber would be. But the right hon. Gentleman at the head of the Government wished to make the Second Chamber something which would supple-

ment the first, and bring in different elements, and not be a mere repetition of the first. The Committee would have the right to impress upon the right hon. Gentleman, when the question of the composition of the Second Chamber came up, that it bore the utmost similarity to the First Chamber, and that it should be varied. The hon. Member for Carnarvon had suggested that when County Councils came into operation in Ireland they should elect the Members of the Second Chamber. But they need not go so far as that. Some Second Chambers were nominated. It would be conceivable to support a nominated Second Chamber, or a Chamber partly nominated and partly elected, or one partly nominated, partly elected, and partly made up of *ex officio* members. For instance, they might have in that Chamber persons holding particular offices in relation to the greater Corporations in Ireland, and Representatives of Chambers of Commerce of the great commercial cities, and *ex officio* Members from the educational corporations in Ireland. They might in this way, or in some other way, so model the Second Chamber that, without being an inflexible, irresistible bar to the action of the first, it would be a correlative to it, supplementary to it—a useful addition to it. It was said—"All this is very well—you may suggest all these things; but one of them will be listened to in this Debate. The scheme of the Bill is to be preserved, and if you are going to take this first step, you will be constrained to acquiesce in all that follows." He did not deny it was possible, though it would be very hard for the Prime Minister to maintain, consistently with the sincere observations he had addressed to the Committee that day, an attitude of inflexible hostility to any proposed change in the composition of the Second Chamber in the direction he had just indicated, and he did not believe the right hon. Gentleman would maintain any such attitude. On this question, he (Mr. Courtney) would like to make an observation bearing upon many other questions that would be brought before the Committee, and which would be more forcible, perhaps, from its general than its specific application. Unfortunately, they were all of opinion, and they all knew, that this Bill would not become

law. He said "unfortunately," not because he did not desire that it should not become law, not because he was not stoutly opposed altogether to the notion of setting up this Parliament in Ireland, but unfortunately for the purpose of the discussion of the Bill in the House. It was pretty manifest amongst the Members of the Government themselves that they would like the discussion on the Bill to be abbreviated as much as possible, and its fate sealed as quickly as possible; their action which had been indicated, and their action which had been revealed, or partly revealed, was action which tended towards lightening the Bill of debateable matter, so as to get it through the House as quickly and with as little friction as possible, and then, whatever followed afterwards, would follow. But the certainty of the fate that would befall the Bill elsewhere made the Government not unnaturally wish to economise their time and labour here by avoiding the discussion of things which need not be discussed, and by dropping parts which would be necessary to a Bill if it were to become an Act, but which were not necessary to a Bill which was to pass this House and to be sent to the House of Lords. On the other hand, the opponents of the measure knew that the Bill would not become law, and so they also were indisposed to discuss its principle. They could discuss abstract principles, but they were indisposed, he was afraid, to discuss, in a practical sense, the particular provisions of the Bill. This question was not going to be settled now, and what the ultimate issue might be no one, he thought, could venture with precision to say; but, in view of the possibilities that might follow, he thought the Committee might be usefully employed in making provision by the discussion here for the serious entertainment of propositions that might come before the House in a more practical shape hereafter.

An hon. MEMBER: From which Party?

\*MR. COURTNEY: Perhaps from the hon. and learned Member himself. He should prefer to see hon. Members opposite, who were so deeply interested in this question, not sitting like mutes at a  
*Mr. Courtney*

funeral, but taking a part in determining their own fate. They were now preparing materials for what might be a solution of the Irish Question hereafter, and in that view he thought the discussion a useful one. Having regard to the future, and being impressed with the belief that if ever Ireland was cursed with a Parliament of its own a Second Chamber would be pre-eminently useful, he should have no hesitation in voting against the Amendment.

MR. G. W. BALFOUR (Leeds, Central) said, that the hon. Member for Bedford, who had made such a violent attack on the right hon. Member for the University of Dublin, might have remembered that the hon. Member for Northampton and other hon. Members who opposed Second Chambers were going to support the proposal for a Second Chamber in the Bill.

MR. LABOUCHERE: I never said that I was going to vote for a Second Chamber.

MR. G. W. BALFOUR: The hon. Member stated that he was not going to support the Amendment, and in that case he was either going to vote against the Amendment or leave the House and not vote at all. But the hon. Member was not the only Member of the House who declared himself against the Second Chamber, but, nevertheless, was going to vote for one. The Home Secretary had told his constituents that Second Chambers were generally mischievous, and yet he was going to vote for a Second Chamber in connection with an Irish Legislature. The hon. Member for Aberdeen (Mr. Hunter) had expressed the same opinion, and he was going to vote against the Amendment; therefore, there was no ground for the moral indignation which the hon. Member for Bedford (Mr. Whitbread) had expressed in regard to hon. Members sitting on the Opposition Benches, and which might well have been reserved for hon. Gentlemen sitting in his own circle of the House. His right hon. Friend (Mr. Plunket) had said that he desired to make the Bill more detestable in the eyes of the public, and the hon. Member for

Bedford held up his hands in righteous indignation, and declared that the right hon. Gentleman was the creator of a novel system of Parliamentary tactics. But, surely, if one disapproved of a measure there was nothing immoral in the intention to make it distasteful. It was quite clear that what his right hon. Friend meant was that the Bill was a bad Bill, and that there were provisions in it which disguised its badness, and that it should, by stripping it of all its disguises, be made more detestable; but that was a different thing from saying that he desired to make it a worse Bill than it was. A man might be a villain, but by unmasking him you did not make him more of a villain, though he was made much more detestable. The Bill was a bad Bill, and its provisions were so disguised that it was the duty of all who were opposed to it to strip it of all its disguises and exhibit it in all its naked depravity. The Prime Minister begged the House to vote for the Second Chamber in regard to the general principle involved; but he (Mr. G. W. Balfour) had no objection in principle to a Second Chamber, but to the proposed composition of the Chamber. If the Chamber could be made satisfactory he should certainly vote against the Amendment, because, generally speaking, he favoured Second Chambers if one could be devised and the materials existed for creating it. The analogy of the American Senate would not apply. The American Senate represented the sovereignty of each State, and each State, whether large or small, was represented by two Members in the Senate. Seeing that in Ireland, an agricultural country, the men of education, position, and property were almost entirely Unionists, he altogether despaired of being able to construct a Second Chamber, and it was upon that ground that he should support the Amendment.

MR. B. COLERIDGE (Sheffield, Attercliffe) said, that if, on that side of the House, the question under debate were in the nature of a *tabula rasa*, he thought very few hon. Members would be found voting for a Second Chamber. He supposed that those who advocated Second Chambers desired the minority to

rule, and that those who desired the majority to rule were opposed to Second Chambers. There were no judgments so satisfactory as those which were given with full responsibility; and if a man were tried for his life on the question of fact there was no appeal, and there were no decisions arrived at with greater care than those from which there was no appeal. The question arose—What were they going to do in that Debate? He expected that a Second Chamber had been introduced into the Bill in order to conciliate opposition, and the course of the Debate showed that it had signally failed. That being so, who, then, was in favour of a Second Chamber? There was no one on the Liberal side of the House in its favour, and he did not think that the Nationalist Party desired a Second Chamber. They only accepted it mainly to remove hostility to the Bill as a whole. But the proposal had not disarmed hostility, and, in that case, might they not ask the Government to re-consider their position? If the Second Chamber had simply been introduced to conciliate the Opposition, it had failed; and, looking to the future of Ireland, if the Second Chamber were withheld, they would be preventing the introduction of causes of conflict between two classes of the people, and, that being so, he thought the Government should re-consider their views on the question.

\*THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): It is suggested that this proposal for a Second Chamber may have been introduced with a view of conciliating opposition. I am sorry to say that the notice we had of the attitude hon. Gentlemen opposite were likely to take up led us to expect that neither a proposal of this kind nor any other proposal would conciliate their opposition; and I would tell my hon. and learned Friend the Member for Sheffield that, so far from conciliating the opposition, if we were to withdraw this clause they would find the Bill worse without it than with it. What is the question before the Committee? It is, it seems to me, whether in this Bill we are to have a provision for a Second Chamber or not?

The hon. Member for Leeds, with the ability and ingenuity which distinguish him, has argued that it would be impossible under any circumstances to have a Second Chamber.

MR. G. W. BALFOUR: Not in any circumstances, but to have such a Second Chamber as would be accepted and would have a chance of success.

\*MR. BRYCE: I accept the correction, but it is difficult to understand why hon. Members opposite should think that no suggestions they can make can possibly have weight with Her Majesty's Government. Her Majesty's Government are quite prepared to meet all reasonable apprehensions which hon. Members opposite or the minority in Ireland can entertain, and to endeavour to construct as good a Legislature in Ireland as we can. In Clause 6 Amendments can be moved which would be compatible with the 1st clause, but which would completely alter the character of the Second Chamber; and, if that is so, it follows that we are now discussing nothing but the general principle. It is to that general principle, as applied to the case of Ireland, that I will confine myself. We all know that when we arrive at Clause 6 we shall have all these discussions over again. Every word that has been said to-day and that was said yesterday against the proposed composition of the Chamber can, on Clause 6, be said over again. Therefore, it is useless now for me to justify our proposal of this particular Chamber, or for hon. Gentlemen to disparage it. But I would remind hon. Gentlemen opposite of the nature of the vote they are going to give. It is a vote against any Second Chamber whatever. It is a vote which is not grounded upon proof that no Second Chamber can be created for Ireland; therefore, what conclusion do I draw as the effect of such a vote? The right hon. Gentleman the Member for the Bodmin Division observed that the question could not be settled by this Bill; and he grounded on that observation a reflection which seemed to me very opportune as to what I will call—if I may say it without offence—

*Mr. Bryce*

the irresponsible spirit in which hon. Gentlemen opposite are discussing the Bill—namely, the reflection that hon. Gentlemen are discussing the Bill as if they expected it never to take effect. [*Opposition Cheers.*] I am glad I have the assent of hon. Gentlemen opposite to that view. They are discussing the Bill with the avowed object of simply making a demonstration of hostility against a whole policy in its nature guilty and vicious. But hon. Gentlemen should carry their grasp of the future a little further. The question may not be settled by this Bill, but neither will the question be settled by the rejection of this Bill. If the Bill should fail, we all know that it will be followed by another Bill. Therefore, the discussion on this Bill is not thrown away, because even if the wishes of the Party opposite should be realised and this Bill is rejected it will be followed by another, and the present Debates will largely influence the character of the measure then brought in. Supposing, for the sake of argument, that this Amendment were carried, and suppose that next Session Her Majesty's Government bring in another Home Rule Bill—it would be impossible for them, in the teeth of the decision of this House, to introduce a provision for a Second Chamber into that Bill. Even if they were convinced by the arguments of hon. Members opposite that this was a bad Second Chamber and that there ought to be a better one, they would be absolutely precluded from having a Second Chamber brought in. It would be in the highest degree unstatesmanlike for the Party opposite to drive the Government to that conclusion. I cannot depart from this aspect of the question without expressing the hope that hon. Gentlemen opposite will pause before they give a vote which can be directed only against the principle of any Second Chamber in Ireland, and which will be remembered when the question of a Second Chamber for England some day comes up. With regard to hon. Members on the Government side who dislike voting for any Second Chamber at all, I would remind them that they, with the views they entertain and have declared, will not be giving a vote against a Second Chamber based on a property

qualification, but on the very difficult and large general question whether, under any circumstances, Second Chambers ought to exist or not. It does not appear to me that any vote given on this Amendment will, so far as hon. Members on this side of the House are concerned, have any bearing on any opinion they may entertain with regard to the House of Lords. Hon. Members opposite, if they condemn the scheme of a Second Chamber, will give a vote unfriendly to Second Chambers generally; but hon. Members on this side, whose object is merely to express their dislike of the House of Lords, will go far beyond the necessities of their position if they vote against having in Ireland a Second Chamber which will furnish no precedent in favour of the House of Lords. Some hon. Members have compared the proposed Second Chamber to the House of Lords; but I can conceive nothing less like a Chamber founded on hereditary right than a Chamber founded on a £20 qualification. Let hon. Members who oppose this Second Chamber put themselves in the position the Government occupied when they framed the Bill. They had to consider whether or not some Second Chamber could be introduced. When they looked round Europe at the experience of Second Chambers they found that in every European State but two which have Legislative Bodies there existed Second Chambers, the only exceptions being Greece and Bulgaria. When they looked to the United States, they found that 44 States and four Territories have Second Chambers; and when they looked to the Colonies, we found that in each one of the Australian Colonies there were two Chambers, in Cape Colony there were two Chambers, and in most of the Canadian Provinces, as well as in the Dominion Parliament, there were two Chambers. It is said that two Chambers do not always work harmoniously together. My observation on that is that the object of having two Chambers is to secure, not that things shall always work smoothly between them, but that they shall frequently differ, and provide a means of correcting such errors as either may commit. That observation has many bearings, and I confess that the result of the inquiries I have made into the working

of the Australasian Colonies is that the Chambers which have of late years worked most efficiently there have been the elective and not the nominated Second Chambers. In Victoria, and in South Australia, the Legislative Council, like the Senate in democratic France and the Senates in the democratic States of North America, has more and more come to be regarded as a valuable part of the Constitution, and upon all this past experience I base the general proposition that there is nothing anti-democratic in a Second Chamber. The democracy may be just as much a democracy whether there is one Chamber or two. Therefore, I beg hon. Members on the Liberal side not to suppose that they will pay any tribute to the genius of democracy by voting against the proposal of the Bill. The general question of having one House or two is far too large for me to enter upon here. Nor is any general conclusion possible which shall apply to every country. All I desire is to show the strong *prima facie* case there is for trying a bicameral system in Ireland. I must be content to rely on the very weighty and thoughtful speech of the right hon. Gentleman the Member for the Bodmin Division, who stated—as the Prime Minister had done when the House was not so full as it is now—the general grounds on which Second Chambers are commended as offering a protection to minorities. Looking round the world, and seeing what a large consensus of experience there is in favour of having two Houses, and knowing how much has been said about the desirability of safeguarding the Legislature of Ireland, we should have exposed ourselves to far more hostile criticism from the Opposition if we had brought in a Bill which provided for only one Chamber. I think I have said enough to justify our proposal. I cannot accept the view that there are no materials in Ireland for the construction of a Second Chamber. There are many of our Colonies and many of the States of America where the population is quite as homogeneous as in Ireland, and where the need for having a Second Chamber is not so strong as in Ireland, and yet where it has been found desirable to have it. A principal reason

why Second Chambers have been established in these communities is that they not only involve considerable delay, but also a double debate. Questions come a second time before public opinion. Every question, when it has run the gauntlet of one set of minds in one Chamber, has to run the gauntlet of another set. Every Chamber, by the law of its being and its sense of self-importance, of necessity seeks opportunities for vindicating its right to existence by exposing every question that comes before it to a second consideration and criticism. The result is to waken up still further the opinion of the country. We all know that the value of the Debates that take place in this House lies not so much in the effect they have on our minds, because we mostly come here pledged to vote in a particular direction, but that they awaken opinion in the country. [*Opposition Cheers.*] Yes; hon. Gentlemen opposite concur in that view. They may be sure that we rely upon public opinion, and will lose no chance of enlightening it, and so, too, we want to give Ireland a chance of having all questions thoroughly discussed from every point of view. We want the Irish Legislature to be one in which all measures shall run the gauntlet of a double debate, and in which everything that can be done for the political education of the people, so long neglected in the past, shall be done by the legislative machinery of the country. We hold that if ever there was a country where it would be fair to try the experiment of having two Legislative Chambers, that country is Ireland, and we hope that the House will pause before it destroys the opportunity we wish to give the Irish people of having such a Constitutional machinery. I have said that this is a question not of the particular Chamber we have proposed, but of whether Ireland shall have a Second Chamber or not. It is also a question of cutting off and destroying one of the safeguards which the Bill provides. Gentlemen opposite contend that a Second Chamber would not be a safeguard; but no one can possibly argue that the Legislature will be any the worse for possessing it. Is it not, therefore, the very wantonness of Party

*Mr. Bryce*

passion to strike off a safeguard which may prove exceedingly useful for the sake of damaging the Bill? I hope we shall give the Irish Legislature the opportunity, which nearly all the democratic Legislatures of the world possess, of starting on its career with all the advantages which full discussion and the possible divergence of two Chambers can provide.

MR. A. J. BALFOUR (Manchester, E.): The right hon. Gentleman who has just sat down tells us that it is beyond the scope of the present Debate to discuss the general question of Second Chambers.

MR. BRYCE was understood to dissent.

MR. A. J. BALFOUR: I can assure the right hon. Gentleman that I was not going to indulge in hostile criticism of that remark, because my next sentence would have been that anybody who heard his speech would admit that a more interesting discussion on the general question of Second Chambers was never heard in this House. I listened to the general remarks of the right hon. Gentleman, not only with great admiration for the compressed learning he contrived to put into them, but with very general agreement in the broad principles he laid down. But I must remind him of one truth connected with the philosophy of Second Chambers which I think has escaped the minds of himself and his hon. Friends. There is nothing magical, mysterious, or supernatural in a Second Chamber which should mitigate the evils of a single Chamber. It depends very much whether it is to produce good results upon what is the constitution of the Second Chamber. It is not every Second Chamber that is an improvement on every single Chamber. If it is a well-constituted Second Chamber, it is an improvement on a single Chamber. It is, therefore, impossible to divorce the abstract and general discussion from the particular discussion of the composition of the Second Chamber. The right hon. Gentleman would have us believe that the mind of the Government is open

upon the question. What does that mean? Does it mean that the Government are going to allow debate upon their proposals on the clause itself? Of course they cannot prevent that. The question is, are the Government prepared to alter their plan, and to alter it materially? If it can be shown that the Second Chamber is a futile expedient for obtaining what they desire, will they be prepared to restore the proposal of 1886 in favour of an Irish House of Lords? In any event the scheme we have now to consider is the scheme which is before us. We know the power of the Government over their followers is such that they are going to compel gentlemen like the hon. Member for Northampton (Mr. Labouchere), who has over and over again declared—I was going to say their principles, but we are told that this is not a principle, but only an opinion—they are going to compel hon. Gentlemen who have actually got Amendments on the Paper on this subject to go into the Lobby with them. With such disciplined forces before us, should we not be idiots if we relied upon the general declaration of the Government that they will listen to any proposal to alter Clause 6? If the Government have any general declaration to make on that subject, now is the time to make it; but if they intend to adhere to Clause 6, as I gather from an indication given by the Chancellor of the Duchy (Mr. Bryce) is the case, do not let us be told that we may dismiss from our minds the criticisms we have to make upon the particular proposals they have laid before us. The right hon. Gentleman appears to think that all who give a vote in favour of this Amendment will commit themselves against Second Chambers in general, and the House of Lords in particular. He actually seemed to suppose that by objecting to this particular scheme for Ireland we shall thereby be committed for all time against the establishment of Second Chambers and against the House of Lords.

MR. BRYCE: I said it would be remembered.

MR. A. J. BALFOUR: I suppose remembered is a polite phrase for misrepresented. I suppose the right hon.

Gentleman means that whenever a question of the retention of the House of Lords comes to be seriously considered someone will rake up the votes given in this House, and will say to those who gave them—"Oh, you do not like a £20 rating Chamber in Ireland, with what face can you support the existence of a House of Lords?" I trust that anyone who takes the trouble to rake up the evidence given on this occasion will also take the trouble to read the speeches which have been made. If this is done, it will be found that not a single Member has declared an intention of voting for the Amendment without giving as much emphasis as the right hon. Gentleman himself has done to his belief in the necessity for a Second Chamber. The right hon. Gentleman really refuted his whole argument about five minutes after stating it, because he said—"Can anything be less like the House of Lords than the Chamber we propose?" No, Sir; nothing could be less like it, and nothing could be more fatal to the carrying out of the function which the right hon. Gentleman thinks a Second Chamber is fitted to carry out than the Second Chamber proposed by this Bill. We have, after all, to approach this Amendment in one of two frames of mind. We have either to suppose that the Bill will be carried much in its present shape, or that it will be so amended as to pass in a shape which we shall disapprove less than its present shape. Let us consider the first of these hypotheses. If the Bill is to pass much in its present shape we are justified in voting for the Amendment, because we regard the Second Chamber proposed as a ridiculous comedy, an illusory safeguard, and a danger to those whom it is intended to protect. But if we take the other hypothesis, and suppose that we shall in Committee be able to amend the Bill so as to reduce the evil to the lowest possible proportions, I see no reason why we should not support the Amendment; because we shall, by these hypothetical Amendments, reduce the Legislative Assembly in Ireland to the ideal once dear to gentlemen opposite—in other words, we shall have made Home Rule a "Gas and Water"



Home Rule. If the Assembly we are going to establish in Ireland is to be a Gas and Water Assembly, I do not think it would be necessary to check its declarations by establishing a Second Chamber at all. We have not established Second Chambers in setting up County Councils throughout the country.

**MR. T. M. HEALY :** What did you do in your own County Council Bill for Ireland? Seven men and the Sheriff!

**MR. A. J. BALFOUR :** The hon. and learned Gentleman is entirely mistaken. There was no Second Chamber proposed in that Bill. Is it pretended that there is a Second Chamber in the Scotch County Council Bill? If not, how can it be pretended that there is a Second Chamber in the Irish County Council Bill, which, in this respect, was framed upon the Scotch Bill? However, Sir, I do not mean to be led off the track of my argument against this proposal by any discussion in regard to the Local Government Bill which I had the honour to introduce, and which, for anything I know, I may some day have the honour to pass. I want to bring before the House, and especially before the right hon. Gentleman who preceded me in the Debate, a consideration to which I think he will attach some value. I agree with him that, if you were to set up a Legislature in Ireland with powers at all in excess of those I have described as gas and water powers, such an Assembly would require a check of some kind. I have stated that I think the check he proposes is an illusory check. I go further, and say it will be a dangerous check. I think it will prevent the application of the only possible efficient check which can be applied to the deliberations and actions of an Assembly in Ireland. The proper check upon such an Assembly is the action of this Parliament and the veto of the Crown given in accordance with the action of this Parliament. Here, and here alone, is the proper Court of Appeal from the Irish Assembly. If you establish this Second Chamber, is it not the opinion of every man who knows anything of our Constitution that hon.

*Mr. A. J. Balfour*

Gentlemen in this House will get up and say of any Bill that is objected to, that it has passed not only the First but the Second Chamber, and ask why we should endeavour to mutilate and check legislation which has run a gauntlet of that description? It is because I think this House should survey and scrutinise every action of the Irish Legislature; because I believe that when it thinks fit to interfere it should have no arguments brought against its interference, and because I think the true Second Chamber is to be found within these walls that I—agreeing absolutely with the right hon. Gentleman (Mr. Bryce) as to the necessity of having some check, and with what has fallen from the right hon. Gentleman the Member for the Bodmin Division (Mr. Courtney) as to the teaching of universal experience that a single Chamber without a check is not a safe form of Government, and believing that the proper method of supervising the performances of such a Chamber is to be found on this side of St. George's Channel—shall, if the hon. Member goes to a Division, vote for the Amendment.

**DR. CLARK (Caithness)** said, the Debate disclosed a very great peculiarity—namely, that every one in favour of a Second Chamber would vote against it, while a great many against the principle of such a Chamber would be found voting for it. He was one of a small minority which proposed to give both an honest and a logical vote. He could not at all understand the position of the Leader of the Opposition, who usually was logical, but who in the present case had not the courage of his opinions, and was not going to vote in favour of the Second Chamber principle. He admitted that he was in favour of Clause 1, and the principle it embodied; but he would vote for it because he did not like Clause 6, which established the machinery for giving effect to the principle of Clause 1. Now he himself objected to Clause 6, because it introduced the aristocracy as well as an oligarchy. He hated them both; but if he had to choose between the two evils, he would a thousand times prefer the aristocracy. They had been told by the right hon.

Gentleman the Member for Midlothian that a Second Chamber would prevent hasty and crude legislation. He disputed that, and he remembered that some years ago both Houses in our own Parliament passed very hastily a Bill affecting Ecclesiastical Tithes, and now everybody was ashamed of it. The House of Lords, instead of preventing hasty legislation on that occasion, simply expedited it by suspending its own Standing Orders. Again, as an instance of crude legislation, the House of Commons last year passed a Scotch Bill of 400 clauses. It was to come into force on the 15th of this month, and yet already it had been found necessary to bring in a Bill to amend it. In his view, therefore, the bi-cameral system had produced nothing but evil, and he was, therefore, an uni-cameral man. The right hon. Gentleman the Member for Aberdeen was in error in describing Norway as a bi-cameral country. It was a country with one Chamber which sometimes divided itself into two Grand Committees, and it was the most advanced single-cameral country. The right hon. Gentleman also said the Second Chamber worked well in Victoria. Could it be said to have worked well when twice during 40 years it had created a deadlock in the Government of that Colony when the Appropriation Bill had been thrown out, and supplies for Government, Police, and Judges refused? A Second Chamber had been thrust upon the Colonies, and they had accepted it as the lesser of two evils. They could no more be said to have demanded it than Ireland could be said to be demanding a Second Chamber now. He should vote for the Amendment, and he did so because that was the only logical and honest course to pursue, holding the opinions he did.

COLONEL SAUNDERSON (Armagh, N.) said, there were many questions arising under the Bill which were essentially Imperial questions and affected the British Empire at large; but the one they were now discussing was an essentially Irish question, and it essentially affected the future welfare of the Irish people. The Prime Minister and the Chancellor of the Duchy had fallen into a common mistake. Both right hon. Gentlemen had made

geographical excursions all over the world, and as a result they had formulated the provisions of the Bill upon the varied experiences of the countries that in their imagination they had visited. But he would like to ask the right hon. Gentlemen whether in these excursions they had found another Ireland? Some people might think it unfortunate—others might think it fortunate—that there was but one Ireland on the face of this planet; and, therefore, the arguments of the Prime Minister and his Colleagues utterly fell through from the fact that the analogies they tried to draw from other countries were absolutely inapplicable to the country about which they were now legislating. To say that legislation which had been successful in Tasmania, or in Australia, or in Canada must therefore of necessity be satisfactory in Ireland was not more wise or pertinent than to urge those Colonies to burn turf because that fuel was used in his country. The right hon. Gentleman, in his conciliatory speech, sought to induce the Irish Unionists to accept the principle of the proposal, and said that when they came to deal with the clause regulating the composition and condition of the Second Chamber he would be ready to consider any suggestion that might be made. Yes; but from what quarter? In one sense the Government was a gutta-percha Government, capable of being moulded and squeezed into any shape if the squeezing had been below the Gangway. It was a sponge that might be wrung, but the hand that wrung it must be found amongst the Members who enabled the right hon. Gentleman to continue on the Treasury Bench. Many of the right hon. Gentleman's followers were anxious to find out whether the Irish minority looked upon the Second Chamber as a real safeguard. No doubt the majority of the right hon. Gentleman's supporters were in favour of a Second Chamber, and he could assure those hon. Members that, so far from looking on the Second Chamber as a safeguard or security, they looked upon it as exactly the reverse. One thing had happened. They had learned from the Debate that the Gladstonian Party had been put into a very ugly fix through this proposal. They had had a remarkable speech from the hon. Member for

Northampton, but he did not take it seriously. The hon. Member for Northampton did not wish any one to take him seriously; he looked upon the whole of this question with absolute contempt, and a slight scratch would remove the Radical skin of the hon. Member and probably show him to be a blue-blooded aristocrat. What was the view held by the followers of the Prime Minister? That our Second Chamber was endured so long as it was an echo of the will of this House. True, it contained hereditary elements, but it was a sort of political Greenwich Hospital for worked-out Parliamentary wrecks. The only reason for proposing this Second Chamber in Ireland was that it was bound to be an echo of the other Chamber, and, therefore, absolutely useless. The hon. Member for Dumfries had told them that if they carried that Amendment they would incur great responsibility, and that it would hamper those who in the future might bring in a Home Rule Bill. The hon. Member went a little too quick; he seemed to be certain that in a future Session the Government would have the pleasure of bringing in a Home Rule Bill, but the Unionist Party did not intend they should have that opportunity, and therefore they intended to strip this Bill of all the delusions and shams in which it was wrapped. In fact, this was an electioneering blind. He could imagine the speeches that would be made on the perfection of the safeguards that had been introduced. This Second Chamber would be elected by men who could not be trusted to try criminal cases; it would be an aristocracy of squalor, elected and created by a Senate of the gutter. The £20 farmers in Ireland were far more under the influence of political coercion than the labourer; the farmers had got houses covered with thatch that could be fired, cattle that could be houghed and mutilated, and goods that could be boycotted.

MR. T. M. HEALY (Louth, N.): And farms from which they can be evicted.

COLONEL SAUNDERSON said, he did not object to these interpolated interjections from an hon. Member for whom he had the most sincere commiseration, for they all knew he must be suffering  
*Colonel Saunderson*

under terrific oratorical pressure, and these intermittent interjections and certain inarticulate sounds were the escape of the safety-valve, but for which he believed the hon. Member would explode. This Second Chamber could not be a brake on the rapid action of the Lower House; it would be an ineffective skid which would not impede velocity. It would be composed of men of exactly the same class, the same creed, and under exactly the same influences as would exist in the First Chamber; and if he and his friends consented to be returned to sit in either of the two Houses—which they would not—they would find themselves in exactly the same minority in each; their voices would have just as little effect; and if any difference should arise between the two Houses, it would simply be a dispute as to the division of the spoils. No logical reason had been assigned by any occupant of the Treasury Bench why the Second Chamber would be a safeguard. If they could conceive this Metropolis having two Chambers, one composed of burglars and the other of pickpockets, that would be an analogy to this proposal. Mr. Cobbett once described the House of Lords as a “den of thieves,” and that description would apply exactly to the proposed Chamber. Their view of the situation was that, if they passed safely through one House, they could not escape being despoiled in the other. They were Scylla and Charybdis, and if they escaped one whirlpool they must be engulfed in the other. Because the Second Chamber was a delusive and worthless protection he should vote for the Amendment. It would pass the wit of man to devise a Second Chamber in Ireland that would give any protection of any kind to the Irish minority, and he therefore earnestly appealed to hon. Members in all quarters of the House to vote for the Amendment of the hon. Member for South Tyrone.

MR. ATHERLEY-JONES (Durham, N.W.) said, he had been a good deal impressed by the observations which fell from the lips of the right hon. Gentleman the Chancellor of the Duchy of Lancaster, when he told hon. Gentlemen opposite that if they voted for this Amendment that vote against a Second Chamber

would be remembered against them in the future. That was exactly the difficulty experienced by the Radicals on this occasion; they felt that if they voted in favour of a Second Chamber, it would be remembered against them hereafter. The reasons urged by the right hon. Member for Bodmin why they should vote against the Amendment were the reasons which would induce him to vote for it. He said he was in favour of a Second Chamber, because the Members of it would look at questions from their point of view; but what they, as Radicals, wanted was that questions should be looked at from the point of view of the persons represented by the Members of the Chamber. His difficulty was increased by the attitude of the hon. Member for Longford, because it had hitherto been assumed that the Irish Members were perfectly indifferent whether there was a Second Chamber or not. The hon. Member's speech rather indicated that the Irish Members desired one. But he observed that the observations that fell from the hon. Member's lips were received with ominous silence by his Colleagues, and he believed the Irish Nationalist Members did not desire a Second Chamber. [*Cries of "No, no!"*] He said so because he had read their speeches; and he had had the honour of conversing with individuals among them upon the question, and the only reason why they tolerated a Second Chamber was because they believed it would be absolutely ineffective for any purpose—that it was a mere toy and plaything given to the Unionist Party. The idea of the relations of the Legislative Council to the Assembly was evidently borrowed from Norway, where the Storting was divided into parts, of which the Odelsting formed one-fourth and the Lagthing three-fourths, and in the event of disagreement between the two sections they had to re-unite and vote in common after the lapse of a certain period of time. But what had taken place in Norway in regard to that particular system of amalgamation of the two Chambers? There was at present, and had been for some time past, a very active movement for the purpose of abolishing it, because it was found to be ineffective and to lead to confusion. But he recognised that there was no finality in

this Bill—that they would, later on, have to make additions to, or alterations in, this scheme of government; and he felt constrained to say that, though the declaration might be received with derisive cheers from hon. Gentlemen opposite—that, as the proposal for a Second Chamber had been accepted by the Irish Party, and acquiesced in by them as a trifling concession to Unionist sentiment, they would not be justified in imperilling the passage of the Bill.

MR. J. E. REDMOND (Waterford, City) said, he would like to say one or two words on this question. In the first place, he had listened with gratification, and not without surprise, to the closing declaration of the hon. Gentleman who had just sat down. The earlier portion of the hon. Gentleman's speech decided him (Mr. Redmond) to intervene in the Debate; but he had given to the House reasons for the decision which he had arrived at towards the close of his speech. The hon. Member gave two reasons why the Irish Members did not care for a Second Chamber—why they were opposed to it, although they were anxious to accept it. The first reason was that it was forced upon them; and the second was that they thought a Second Chamber would be ineffective. For himself, he (Mr. Redmond) desired to say that he was in favour of a Second Chamber, and for exactly the opposite reasons of those put forward by the hon. Member for North-West Durham (Mr. Atherley-Jones). He believed the existence of a Second Chamber was not in itself derogatory to the principle of democracy. In the peculiar circumstances of Ireland, he was specially in favour of it. He was in favour of it, first of all, because he desired to add everything to this new Legislative Body which would in any way, in his view, increase the dignity of the Irish Government and the instrument by which the Irish Government would be carried out, and he was of opinion that from that point of view it was well to have a Second Chamber. He was in favour of it, in the second place, because he was convinced it would be effective for the purpose for which it

was created. He was not prepared to say now that the proposals in Clause 6 were the best that could be made; but he could not understand how hon. Members could argue that under a £20 qualification it would be impossible to have an adequate representation of Unionist opinion in the Legislature, because he remembered the fact that when there was a £12 rating qualification in Ireland very many constituencies that he could mention which were now represented by Nationalists—County Dublin was a case in point—were, before the qualification was reduced, represented by Unionists. He did not know, but there might be differences of opinion among Nationalist Members—as was natural there should be—in reference to the question of a Second Chamber; but he did not think there were any of the Irish Members who would vote for the Amendment. He desired to make an appeal to hon. Members of the Liberal Party who had declared their intention of voting for the Amendment. On the previous evening they had a question before them which, though a small one, was regarded by a section of the Irish Representatives as of great importance. There was a difference of opinion among the Irish Representatives on that question, and the majority of the Nationalist Members took a particular course, even inducing such intelligent Members of the Liberal Party as his hon. Friend the Member for Sunderland (Mr. Storey) to vote with them on the principle that what the majority of the Irish Members desired ought to be conceded. Unlike the case of the previous night, on this occasion the Irish Members would give a solid vote. Were hon. Members opposite going to vote against the Irish Members in such circumstances? He only rose to make it clear to the friends of Ireland, in the House and outside of it, that the Irish Members were not going to vote for the proposal for a Second Chamber because it was being forced upon them or because they believed it would be ineffective. Like all, or most he was sure, of the Irish Members, he was going to vote for the proposal on principle. On Clause 6 they would endeavour to make the Second Chamber effective for the purposes for which it was intended and render it worthy of the dignity of the new

*Mr. J. E. Redmond*

Irish Government as an effective check on rash and ill-considered legislation.

Mr. Macfarlane rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

\*MR. W. SAUNDERS (Newington, Walworth) said, he did not wish to give a silent vote on this question, because he held, in opposition to the Chancellor of the Duchy (Mr. Bryce), that in voting for this Second Chamber hon. Members would be voting for something a great deal worse than the House of Lords. They could measure, to some extent, how much mischief arose from the House of Lords; but this would be a Chamber entirely in the interest of property and against industry, and it would be re-invigorated by periodical election, and therefore it would be a Chamber much more dangerous in the interests of the country than any that now existed. A Second Chamber did not prevent hasty legislation; on the contrary, it often caused it. Was it not a fact within their own experience that after measures had been carefully considered by their own House they had been altered—with very little consideration in most cases—by the other Chamber? He earnestly trusted that they would not impose upon the Irish people anything so mischievous as a Second Chamber. He had not yet found a single Irish Member who was willing to accept it; they merely submitted to it, and by submitting to it he believed that they gravely endangered the Bill. Nearly all the speakers on his own side had used strong arguments against a Second Chamber, and yet they were going to vote for one. How could a decision arrived at in such circumstances be accepted by the country? He had hoped that this question would be decided upon its merits; it was evident it was not being so decided. By voting for a Second Chamber, in his opinion, they were doing more than anything else

could do to imperil the passage of the Bill.

MR. R. WALLACE (Edinburgh, E.) said, he did not feel it possible to give a silent vote on this occasion. He had the misfortune to differ on this point from the great mass of his Party, and he should feel bound to go with the hon. Member for Caithness and the hon. Member for Sheffield into the Lobby where he had very seldom strayed. On the question of a Second Chamber he belonged rather to the school of the Home Secretary (Mr. Asquith) and the Chief Secretary for Ireland (Mr. J. Morley) than to that of the Prime Minister (Mr. W. E. Gladstone) and the right hon. Member for Bodmin (Mr. Courtney). He was prepared to maintain on the proper occasion that the presumption was entirely against setting up a Second Chamber in the present circumstances. They were asked to make a new Constitution for a people that were going to be self-governed. His vote must be determined by what seemed to him to be the attitude of the Irish people on this question. If Ireland desired such a Second Chamber as was proposed in this clause as part of its Constitution that closed the controversy for him. If, on the other hand, he saw that Ireland was, through her Representatives, submitting to and acquiescing in his proposal as a means of getting through some kind of a Bill in any kind of way, he would not be moved by that consideration. He would vote against the proposal for a Second Chamber under those circumstances, and for two reasons: First of all, he thought, generally speaking, that principle was the best strategy, just as honesty was said by those who had tried both ways to be the best policy. His second reason was that he thought pushing the Bill through by hook or by crook was very bad strategy, because hon. Gentlemen on his own side of the House must remember that these discussions were, to a large extent, of an academic character. The Bill might be got through the House of Commons, but

they knew very well it would be thrown out by the House of Lords; and their only subsequent chance of success was that they should be able to raise the country against the House of Lords. They would never be able to rouse the country by means of a Bill which had been made to pass. Bills that were made to pass were very like razors that were made to sell. They might succeed in passing them upon the market; but the market would find them out. They would never excite public enthusiasm by a shifty and patchy Bill, in which the country would know that principles were sacrificed to mere tactics. If he found unmistakable proofs that the Irish people were accepting this clause with a very tepid enthusiasm, and with no desire for it at all, then he felt he was not in a position to force it upon them. One part of the Irish representation would have nothing to do with this Second Chamber; they scouted it. The larger portion of the Irish Members had said, through the mouth of the hon. Member for North Longford (Mr. Justin McCarthy), that they were willing to accept a Second Chamber. In order to accept there must be a party that offered. If they merely said they would take it if it was put upon them, that was not sufficient for him. The hon. Member for Waterford (Mr. J. E. Redmond), indeed, attempted to strike a somewhat stronger note, but, to his mind, it was not very powerful. The hon. Member was the Leader of a very small section—he was the Coryphæus of a Party of nine; he was the chief Muse of that small Party. He (Mr. Wallace) felt himself most reluctantly driven to differ from a Party from which he seldom or never differed, but which he thought in the present case was too hastily adopting an attitude which, in connection with subsequent proceedings, they might recall with regret.

MR. J. A. BRIGHT (Birmingham, Central) rose to speak—

Mr. J. Morley rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question put accordingly, "That the words 'two Houses' stand part of the Clause."

The Committee divided :—Ayes 295 ; Noes 244.—(Division List, No. 77.)

It being after half past Five of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again To-morrow.

LOCAL GOVERNMENT PROVISIONAL ORDER (HOUSING OF WORKING CLASSES) BILL.—(No. 331.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 8) BILL.—(No. 329.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.—(No. 330.)

Read a second time, and committed.

VOLUNTARY CONVEYANCES BILL  
[*Lords*].

Read the first time ; to be read a second time upon Wednesday next, and to be printed. [Bill 355.]

NORTH SEA FISHERIES BILL.—(No. 259.)

Considered in Committee.

(In the Committee.)

Clause 3.

Committee report Progress ; to sit again To-morrow.

DUCHY OF CORNWALL BILL.—(No. 312.)

Considered in Committee.

Committee report Progress ; to sit again To-morrow.

HYPOTHEC BILL.—(No. 153.)

Order for Second Reading read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Tenth Report brought up, and read ; to lie upon the Table, and to be printed.

## M O T I O N .

### PIER AND HARBOUR PROVISIONAL ORDERS (NO. 4) BILL.

On Motion of Mr. Burt, Bill to confirm certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Buckpool, Findochty, and Portknockie, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 354.]

### IMPRISONMENT FOR DEBT.

Return [presented 8th May] to be printed. [No. 209.]

### IRISH LAND COMMISSION (PROCEEDINGS).

Copy presented,—of Return of Proceedings during the month of March, 1893 [by Command] ; to lie upon the Table.

### ROYAL UNIVERSITY OF IRELAND.

Copy presented,—of 11th Annual Report for the year 1892 [by Command] ; to lie upon the Table.

### NOTICE OF ACCIDENTS BILL.—(No. 199.)

Adjourned Debate on Second Reading [21st March] further adjourned till To-morrow.

### FOREIGN GOODS (MARK OF ORIGIN) (No. 2) BILL.—(No. 63.)

Adjourned Debate on Second Reading [3rd February] further adjourned till Wednesday next.

### SALE OF INTOXICATING LIQUORS (No. 2) BILL.—(No. 67.)

Adjourned Debate on Amendment to Second Reading [22nd March] further adjourned till Wednesday 14th June.

House adjourned at one minute before Six o'clock.

5/2. 5/6

HOUSE OF COMMONS,

Thursday, 11th May 1893.

PRIVATE BUSINESS.

MANCHESTER, SHEFFIELD, AND  
LINCOLNSHIRE RAILWAY BILL.

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed,  
"That the Bill be now read the third time."

\*MR. WEIR (Ross and Cromarty) said, he could not allow the Bill to pass without a protest against the policy of the President of the Board of Trade. The right hon. Gentleman promised before Easter that, if some satisfactory arrangements were not made between the Railway Companies and the traders with regard to the new rates, he would put his foot down, and deal with the question. That promise had not been fulfilled, and he (Mr. Weir) would warn the right hon. Gentleman that unless he stiffened his back, put his foot down firmly, and dealt with the Railway Companies energetically on this matter, there would be some difficulty in getting Railway Bills through this House. He (Mr. Weir) had no desire to press his opinion to a Division; but he thought that the right hon. Gentleman should not allow himself to be captivated and fascinated by those who controlled the great railways.

MR. A. C. MORTON (Peterborough) said, that, while he had no desire to stop the Bill, he wished to get from the President of the Board of Trade a statement as to the position in which traders and the Railway Companies were at the present moment. He had numerous complaints by traders and agriculturists that the Railway Companies were not carrying out their agreement to go back to the old rates, and to refund the overcharges; and he was afraid the companies were allowing some of the large traders and powerful concerns to go back

to the old rates, while the small agriculturists and traders—

\*MR. SPEAKER: The hon. Gentleman is now travelling beyond the particular company whose Bill is before the House.

MR. A. C. MORTON: I am afraid all the companies are alike.

\*MR. SPEAKER: Both the hon. Member who spoke first and the hon. Member for Peterborough are quite out of Order in thinking that this is an opportunity for discussing the conduct of the Board of Trade with regard to all the companies in the United Kingdom.

MR. A. C. MORTON said, he would only ask the right hon. Gentleman to make a statement as to the present position with regard to railway charges, and as to whether the Government could do anything to relieve traders from the present overcharges?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) said, that neither the Railway Companies nor he gave any such assurance as the hon. Member suggested. He hoped the House would allow this Bill to pass, and also appoint the Committee on Railway Rates. He might say that the Manchester, Sheffield, and Lincolnshire Company had been most anxious to get direct access into London in the interest of the public during the past few years.

DR. CLARK (Caithness) quite agreed that it was desirable that there should be as much competition as possible between the great Railway Companies. The only thing he was afraid of was that when they got another great line running to London the public would get no benefit at all. The Companies had a monopoly for which they paid nothing, and some did well and others badly. The proper course to take with regard to them would be to refuse to pass their Bills if they did not act justly towards the people—when there was an authority appointed to fix fair railway rates just as there were authorities to fix fair rents in Ireland and Scotland.

Motion agreed to.

Bill read the third time, and passed.  
[New Title.]



## LONDON IMPROVEMENTS BILL.

*(by Order).*

## NOMINATION OF SELECT COMMITTEE.

## [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [10th May], "That Mr. Benn be a Member of the Committee on the London Improvements Bill."—*(Mr. Marjoribanks.)*

Question again proposed.

Debate resumed.

MR. JAMES LOWTHER (Kent, Thanet) said, he had hoped that it would not be necessary for him to again bring this matter under the notice of the House, and that the right hon. Gentleman the Patronage Secretary to the Treasury (Mr. Marjoribanks) would have substituted another name for that of Mr. Benn. As he had explained yesterday, he did not take exception to the name of Mr. Benn on personal grounds, but on the ground of his being a Member of the Body promoting the Bill. He was aware that, in certain exceptional cases, persons who occupied the position of promoters, or who were closely identified with Bills, had been placed on the Hybrid Committees which have sat to consider those Bills; but he ventured to think that these were examples rather to be avoided than followed, and that very serious inconvenience and mischief would result from a departure from the normal practice of the House, which was to constitute its judicial tribunals in a manner which would secure not only that their proceedings should be conducted with impartiality, but the confidence of the outside public. In the case before them five of the Members were nominated by the House and four by the Committee of Selection. He imagined that the parties or sections of the House would be proportionately represented on the Committee; but the fact still remained that the odd vote which would carry the Bill, or insure its rejection, or the determination of its clauses, or of an Amendment of importance, might be that of the Member who was himself one of the promoters of the Bill. Now, in his judgment that was a state of affairs which, if persisted in and made a practice of, could not fail to bring discredit upon the character of the business of the House for judicial impartiality. He might be told that it

was sometimes convenient for a Committee to have at hand some person who was conversant with the details of the Bill they were considering—someone who could give information at first hand. But he maintained that the proper place for a Member who was prepared to render assistance of that kind was the witness chair. Besides, every Member of the House had the right, at all times and seasons, to be present when a Bill was before the Committee—save at those times when the room was cleared for the purpose of consultation. And he had known cases in which Members had claimed as a right to address Committees otherwise than as witnesses on a Bill from the point of view of interested persons, in the same way as counsel could address them. He remembered the present Sir Robert Peel claiming that right in the case of the Birmingham Sewage Bill. On these grounds it would be seen that there would be no occasion, in the interests of the information of the Committee, for the presence, as a Member of the Committee, of a Member of the London County Council. The exceptions which he had referred to, in which the general rule had been departed from, were, to his mind, unfortunate precedents which the House would do well to avoid repeating. He would remind the House—without going, however remotely, into the merits or demerits of their legislation—that the London County Council had been in the past, and were at present, and were likely, probably, in the future, to be promoters of Bills containing a great deal of contentious matter, and that was an additional reason for insuring that the judicial proceeding of the House in regard to those Bills should be conducted in a manner which would be recognised both inside the House and outside as absolutely impartial. He hoped that on reconsideration the Patronage Secretary to the Treasury would see that it would add to the strength of the Committee, and afford it that opportunity for private consultation amongst its Members which it could not exercise if one who had a right to be present at its innermost counsels was a promoter of the Bill, if some other name were substituted for that of the hon. Member, who, if he were not a member of the London County Council, he (Mr. James Lowther) should be the last person to object to.

Mr. BENN (Tower Hamlets, St. George's) said, that if this were a personal matter he should not attempt to address the House upon it; but as it involved a question of principle, which was of great importance to the London County Council, he begged to be allowed to say a word or two. The short time he had been a Member of the House had enabled him to discover that they had two kinds of Committees—namely, a Select Committee, which was of a judicial character, and a Hybrid Committee, the Members of which were appointed by the House, for the purpose of adding Members who might be described as partizans. He was not present yesterday when the right hon. Member (Mr. James Lowther) referred to this matter; but he had read in *The Times* this morning that the right hon. Gentleman had said—

“It was the practice of Members who served on Select Committees to sign a declaration to the effect that neither individually nor through their constituents had they a personal stake in any Bill that came before them.”

He had read that paragraph with astonishment, because the right hon. Gentleman must have known, with his long Parliamentary experience, that Members of Hybrid Committees were not called on to sign such a declaration.

Mr. JAMES LOWTHER said, he had drawn a distinction between a Hybrid Committee and a Select Committee.

\*Mr. BENN said, that if that were the case, he could not understand the right hon. Gentleman's statement, unless it had been to prejudice his (Mr. Benn's) case. As to precedents for the course which was now being taken, they were ample. The late Chairman of the Metropolitan Board of Works had always been put on Hybrid Committees considering Metropolitan Board Bills, and the London County Council had been ably represented on the Strand Improvement Bill and the Water Commission Bill by the hon. Member for St. Pancras. The House was not asked to do a new thing now, but merely to endorse a practice that prevailed in connection with all such business. This Bill had been referred to a Hybrid Committee at the request of the right hon. Gentleman and his friends. On the 26th April the hon. Baronet the Member for South Kensing-

ton (Sir Algernon Borthwick) had moved that the Bill be referred to the Committee on the London County Council (General Powers) Bill, in full view of the fact that he (Mr. Benn) served on that Committee. It was strange that the right hon. Gentleman opposite should now have changed front in such a remarkable manner. The right hon. Gentleman had said, according to *The Times* report—

“He did not object to the hon. Member on any personal grounds, but he maintained that his appointment on the Committee would take away from the spirit of judicial impartiality which was always associated with Committees of the House.”

He would ask the right hon. Gentleman to apply his microscope to the Benches on his own side. He was driven to make that remark because on the Committee referred to, as well as on previous Hybrid Committees, the hon. Member for Wandsworth had found a place, and he was none other than the Vice President of the Property Defence Association—an Association composed of such persons as the Duke of Norfolk, the Duke of Portland, and the Duke of Westminster.

\*Mr. KIMBER said, that the Society in question was not represented in any way before the Committee.

\*Mr. BENN said that, at any rate, the hon. Member was the Vice President of the Property Defence Association, and that body had issued a manifesto against the present Bill. He thought that what applied to the London County Council in this matter should also apply to this Society. He (Mr. Benn) did not ask the House to add his name, but in common fairness to follow the long list of precedents in regard to Hybrid Committees, and to add to the Committee the name of a Member of a Public Body directly interested in the success of the Bill.

Mr. RENTOUL (Down, E.) said, that if anything was wanting to induce him to support the right hon. Gentleman (Mr. James Lowther) it would be furnished by the speech of the hon. Member who had just sat down. They had heard before of a man being a judge in his own cause, but here they had a man who was judge and counsel in his own cause. The hon. Member (Mr. Benn) was an old friend of his. He had known him long,

and he was astonished that he should rise to say a word in the matter, seeing that he was personally interested. Precedents had been referred to, but it would be impossible to mention a more exaggerated case than that before the House. The hon. Gentleman was not merely a member of the London County Council, but had acted as the Whip of the Progressive Party on the Council for the past three years, and he had been a most efficient Whip, as he (Mr. Rentoul) could say from his own knowledge as a member of that Body. The hon. Member was about the most extreme member of the advanced or Progressive Party in the Council; therefore, if any name could be objectionable on this Committee, it was that of the hon. Member. It would manifestly be an unfair thing to put upon a Committee the person who might be described as the chief promoter of the Bill that Committee was appointed to consider.

\*SIR J. MOWBRAY (Oxford University) said, that, as Chairman of the Committee of Selection, he could not agree with the right hon. Gentleman the Member for Thanet, because the constant, if not invariable, practice had been for the House to nominate on these Committees two or more Members who had a personal interest in the question to be dealt with. It was the special duty of the Committee of Selection to select other Members who would form the impartial and judicial element, and although the Committee of Selection did not nominate the Chairman, they always placed on the Committee some hon. Member whose standing and position in the House was so recognised that he was generally chosen as Chairman.

MR. MARJORIBANKS (Berwickshire) said, he thought the statement of the right hon. Gentleman the Chairman of the Committee of Selection constituted a full answer to the arguments of the right hon. Gentleman the Member for Thanet, who had opposed the nomination of the hon. Member for the St. George's Division of the Tower Hamlets on the ground that it was a departure from the ordinary practice. Instead of so being a departure, it was, undoubtedly, in accordance with the practice which had prevailed in the House as long as he could remember. Before the London County Council came into

existence the Chairman of the Metropolitan Board of Works was constantly appointed as a Member of those Committees; and that was by no means the first time that a member of the County Council had been appointed, and that, too, without objection being raised. When objection had been raised to a Member sitting on a Committee it had been on the ground that he was pecuniarily interested.

MR. J. LOWTHER: He or his constituents.

MR. MARJORIBANKS, continuing, said, that the hon. Member for the St. George's Division certainly was not pecuniarily interested in this Bill. The right hon. Gentleman (Mr. J. Lowther) seemed to have mixed up in his mind the cases of Hybrid, Private Bill, and Select Committees. That, he (Mr. Marjoribanks) would remind him, was a Select Committee, and the practice hitherto adopted in these cases had been to consider the appointments first in a judicial capacity, and then in a capacity for representing the various interests, so that Members might cross-examine the witnesses from the different points of view involved. If there was any doubt as to the impartiality of that section of the Committee which the House was now asked to appoint it would be the duty of the Committee of Selection to remedy the defect, and that they might be sure would be done. He certainly could not, under the circumstances, support the Motion of the right hon. Gentleman, and he would not withdraw the name of the hon. Member for St. George's Division.

MR. BOULNOIS (Marylebone, E.) said, there was a feeling in the London County Council, not confined to the moderate party, that members of that Body who happened at the same time to be Members of the House should not sit on the Committees. The hon. Member might not be pecuniarily interested in the Bill, but he was a prominent member of the London County Council—he was leader of the Progressive Party; and that Party, having thrown away the Coal and Wine Dues, were now at their wits' end to devise a scheme in order to make a purse. In the Bill under consideration the Progressive Party had inserted a clause which, if carried, would create an unequal tax; and he did submit that bearing in mind this peculiar character of

the Bill, and the fact that the London County Council would be well represented before the Select Committee both by counsel and expert witnesses, the placing of the name of the hon. Member on the Committee would tend to convert what should be a Judicial Committee into a practically partizan tribunal. Its Report, under such circumstances, would carry with it less weight. Surely the Secretary to the Treasury would do well to withdraw this particular name, to substitute for it one equally strong from a Party point of view, but still the name of a Member not so obviously interested in the Bill to be considered.

MR. JAMES STUART (Shoreditch, Hoxton) said, that in the present case the matter had gone further than precedent; for when the Notice referring this Bill to the Select Committee was put upon the Paper an arrangement was made between the hon. Baronet the Member for South Kensington (Sir Algernon Borthwick) and the right hon. Baronet the Member for the University of London (Sir John Lubbock) that, in order to avoid any difference of opinion, each should put down a Notice in identical terms. It was this very Notice they were now discussing. He might add that when, in 1890, a Hybrid Committee was appointed on the betterment question they had the high authority of the then President of the Local Government Board (Mr. Ritchie) in placing upon it strong advocates of each side of the question.

\*MR. KIMBER (Wandsworth) said, he did not understand the right hon. Gentleman the Member for Thanet to deny it had been the practice to place on Hybrid Committees persons interested in the Bill to be considered. What the right hon. Gentleman did argue was that the practice was bad in principle, and that it ought not to be extended by this House as now proposed. The right hon. Baronet the Member for Oxford University would see that, in consequence of the present balance of Parties in the House of Commons, the Government majority, on a Committee of nine, would only be one; and if that odd man happened to be a member of the London County Council, it was obvious that the conclusions of the Committee would be merely a registration of the foregone conclusions of the London County

Council. If the name of the hon. Member was adopted he should ask that his own name be removed from the Committee.

LORD R. CHURCHILL (Paddington, S.) said, that, as a London Member, he could not altogether agree with the position taken up on this matter by the right hon. Gentleman the Member for Thanet. It would be an unfortunate thing if the idea got abroad that any member of the London County Council, who, at the same time, was a Member of the House, was thereby disqualified from serving on a Committee. In former days the Chairman of the Metropolitan Board of Works, a salaried official, was put on every Committee which had to deal with the affairs of the Metropolis, and no great objection was raised to the practice, although the fact of his receiving a salary might have given rise to objection; but here the case was entirely different. The members of the London County Council received absolutely no pay, and if they had strong opinions they were the outcome of natural convictions. The people of London would consider it rather hard if membership of their County Council was to be deemed as a special disqualification for sitting on Parliamentary Committees, when no such disqualification attached to the membership of other corporate bodies. Of course, it would not be fair that only one side of the Council should be represented, but he understood that the Committee of Selection could put on four more Members, and they would probably put on the Committee one Member representing the other Party in the County Council. In any case he entered his protest against taking a direct line of policy which it would be difficult to defend in London, and which also pre-supposed that there would never be on the County Council any real, strong representation of moderate opinion. He hoped his hon. Friends would reflect upon the construction likely to be placed on their action.

\*SIR JULIAN GOLDSMID (St. Pancras, S.) said, he very much regretted that a new practice had been introduced that day. A proposed Member of a proposed Committee had defended himself that day, and another proposed Member of the Committee, without himself being attacked, had thought

it right to get up and attack the other Member. This was very much to be regretted, and he hoped that it would not be repeated. Hon. Members were not nominated unless it was understood that they were willing to serve; and, therefore, the task of vindicating their nomination against any opposition that might be raised ought to be left in the hands of their friends. He held that what had occurred had been very undignified, and trusted that it would not be repeated.

\*MR. KIMBER: As a matter of personal explanation, I should like to say I did not attack the hon. Member for the St. George's Division. I scarcely referred to him. I think the hon. Baronet could not have been in the House when I spoke.

\*SIR J. GOLDSMID: I sat through the whole discussion. I can only say it is a matter greatly to be regretted, and I trust that in future these personal questions will be avoided.

\*MR. KIMBER: I must ask that my name be not placed on the Committee.

MR. MARJORIBANKS: I appeal to the hon. Member to withdraw his objection. I think the five Members have been very fairly struck.

\*MR. KIMBER: I think that after the statement made by the hon. Baronet I am bound out of self-respect to withdraw. I have not the slightest objection to sit, and have always found the duty a pleasant one; but I do think it rather hard that the hon. Baronet should have designated my observations as an attack on a gentleman whose name I did not mention.

\*SIR J. GOLDSMID: I hope the hon. Member will not imagine that I desired to attack him in his personal capacity. I have known him many years, and well know what an able man he is. I trust, therefore, that he will serve on the Committee.

\*MR. J. LOWTHER: I understand, from what has passed this afternoon, that the appointment of partizans on either side is a practice which many hon. Members appear to regard with favour. Personally, I take a different view, and I entirely dissent from what my noble Friend (Lord R. Churchill) urged as regards the practice which ought to pre-

*Sir Julian Goldsmid*

vail; and although I think it is a very bad practice, yet if the House wishes to adopt it I ought not to stand in the way.

Question put, and agreed to.

Mr. Brodie Hoare, Mr. Kimber, Mr. James Rowlands, and Mr. Snape nominated other Members of the Select Committee, with four to be added by the Committee of Selection.—(*Mr. Marjoribanks.*)

## QUESTIONS.

SIR THOMAS BRADY.

MR. WILLIAM O'BRIEN (Cork): I beg to ask the Secretary to the Treasury whether any decision has yet been come to with respect to the pension of Sir Thomas Brady; and whether, having regard to the agreement of all sections of Irish opinion on the subject, the Treasury will hasten to relieve Sir Thomas Brady from his present position of uncertainty?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The matter referred to is one of considerable difficulty, and has for some time been under the consideration of the Treasury; but I hope that a decision will be very shortly arrived at.

MR. W. O'BRIEN: How soon?

SIR J. T. HIBBERT: I hope very shortly.

MR. W. JOHNSTON (Belfast, S.): Have not other hon. Members refrained from putting questions on this matter so as not to embarrass the Treasury?

MR. W. REDMOND (Clare, E.): In considering the matter will the Treasury bear in mind that all sections of the Irish Representatives are very anxious that this pension should be granted?

SIR J. T. HIBBERT: I am well aware that all sections have joined in supporting it.

## THE DECIMAL SYSTEM.

MR. PAUL (Edinburgh, S.): I beg to ask the Secretary for Scotland why the teaching of the decimal system does not begin in the public schools of Scotland until the Sixth Standard is reached, by which time the great majority of the children have left school, while in England it is taught in the compulsory Standards?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): No general desire has been expressed in Scotland for the extension of the teaching of the decimal system, and the recent suggestion to that effect from the Decimal Association was not received until the Code for this year had been revised. We have advised the Association to communicate on the subject with the School Boards, and the matter will be further considered at the next revision of the Code, when we understand what the opinion of the representative Educational Bodies may be.

#### THE SOUTH WALES MAILS.

**MR. DAVID THOMAS** (Merthyr Tydvil): I beg to ask the Postmaster General if he is aware that residents in important towns on the main South Wales line of the Great Western Railway have, in order to be in time for the 8.30 London morning delivery, to post their letters at an earlier hour than residents in many English towns nearly double the mileage distance from the Metropolis; whether he is aware that about two years ago the then Postmaster General admitted the necessity of improved postal facilities for South Wales, and promised to consider the matter at the first favourable opportunity that presented itself; and whether any, and, if so, what steps are being taken to remedy the grave inconvenience under which the public in South Wales is suffering? I will also ask the right hon. Gentleman if he is aware that letters from the South-West of England arriving at Bristol soon after 12 p.m. are forwarded in Gloucester, and do not reach Cardiff, a little over an hour from Bristol by the direct route, in time for the first morning delivery; and whether he will make arrangements for having these letters conveyed to Cardiff through the Severn Tunnel instead of round Gloucester?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): I am aware of the circumstances referred to by my hon. Friend in these two questions. The delays are due to the fact that there are no trains on the South Wales system of railways which would enable better postal arrangements to be made. The expense involved in providing special trains would be so serious

that, although I am anxious to give effect to the wishes of the hon. Member, I do not see my way at the present time to press the subject on the Treasury.

**MR. D. THOMAS**: Is there no power to refer questions such as these to arbitration?

**MR. A. MORLEY**: I do not think the arbitration powers apply in such a case as this.

#### THE PROMOTION OF NON-COMMISSIONED OFFICERS.

**MAJOR RASCH** (Essex, S.E.): I beg to ask the Secretary of State for War whether he will sanction the relaxation of the last paragraph of Article 638, Royal Warrant, 1892, to admit non-commissioned officers who before 1st July, 1888, accepted and held appointments under Article 617, Royal Warrant, 1884, to the rank of quartermaster sergeant without necessarily obtaining a first-class certificate of education; and, if not, whether he will specially consider the cases of non-commissioned officers who have served 17 years and upwards?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The Article referred to applies only to non-commissioned officers serving as clerks, and it requires the possession of a first-class certificate of education as a qualification for promotion to the highest grade. I am advised that men in this position are useless unless well-educated; and that any relaxation of the Rule would be prejudicial to the Service. The Rule has been relaxed for four years, which has given ample time to non-commissioned officers who aspire to the rank of quartermaster sergeant to qualify for the position.

#### THE IRISH GENERAL POST OFFICE.

**MR. WILLIAM REDMOND**: I beg to ask the Postmaster General whether a scheme for the improvement of the salaries and status of certain officers in the surveying branch of the Irish General Post Office was forwarded to the Treasury in November last; and what delays a decision, and when it is likely to be arrived at?

**MR. A. MORLEY**: The matter is still under consideration by the Treasury, and no decision has yet been arrived at. With regard to the latter portion of the

question, I must refer the hon. Member to the right hon. Gentleman the Financial Secretary to the Treasury.

#### ASSISTANT INSPECTORS OF SMALL ARMS.

**MR. HANBURY (Preston) :** I beg to ask the Secretary of State for War whether Infantry officers acting as Assistant Inspectors of Small Arms are qualified for promotion to Inspectorships, or whether these posts are reserved for Artillery officers; whether Lord Morley's Committee, while suggesting that the Inspectors should have passed through the Artillery College at Woolwich, proposed that the scope of the College should be widened so as to admit all officers who were candidates for scientific appointments; and whether facilities will be afforded to Infantry officers to enable them to qualify as Inspectors of their own arms?

**\*MR. CAMPBELL-BANNERMAN :** Infantry officers acting as Assistant Inspectors of small arms are eligible for promotion to Inspectorships. The Committee on the Manufacturing Departments, over which Lord Morley presided, did recommend that the Artillery College should be opened to officers of all arms who were candidates for scientific appointments. I find that no steps in the direction of that recommendation have yet been taken; but I will look into the matter.

#### GERMAN INFANTRY EQUIPMENT.

**MR. HANBURY :** I beg to ask the Secretary of State for War whether the War Office has any information as to the intended use of aluminium in the equipment of the German Infantry soldier, with the object of reducing the weight carried by him by nearly 12 lbs.; and whether any steps in this direction are being taken by his Department?

**\*MR. CAMPBELL-BANNERMAN :** I am informed that the German Infantry soldier, when fully equipped, carries a weight of nearly 69 lbs. Proposals are said to be under consideration for reducing this weight by about 11 lbs.; but only 2 lbs. 4 oz. of that reduction is to be effected by using aluminium. The only articles of British Infantry equipment in which aluminium could be substituted for the present materials are the water bottle

and the mess tin; and these together only weigh 2 lbs. 2 oz., so that no great saving in weight could be looked for. Experiments were made with aluminium in 1891; but the cost was held to be prohibitory.

#### THE WAREHOUSING CODE.

**MR. PARKER SMITH (Lanark, Partick) :** I beg to ask the Chancellor of the Exchequer when the Book of Instructions known as the Warehousing Code, at present in use in the Customs and Excise Services, was issued to these Departments; how many of its paragraphs have been superseded or altered by General Orders since its issue; and when a revised issue will be supplied to those Services?

**SIR J. T. HIBBERT :** The Instructions referred to were issued on January 1, 1885. Many paragraphs have been superseded or altered since then. A revised edition is being prepared, and, it is hoped, will be supplied in the course of the present year.

#### THE STATE OF BELFAST.

**MR. WILLIAM JOHNSTON :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has seen *The Irish Catholic*, 6th May, 1893, and noticed a leader in which it is stated that Belfast is now on its trial, but that provided it resumes and continues good behaviour no one will be desirous to resort to extreme punishment, but that it might become a duty to recommend to the Catholic people of Ireland a course of action which would test their prosperity in a manner they might not like; and whether he proposes to take any action concerning this threat to Belfast?

**THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne) :** I have read the article referred to by the hon. Gentleman. I do not see what action could be taken by the Government in this matter, or, indeed, that any action is called for.

**MR. W. JOHNSTON :** Does the right hon. Gentleman now see the reason why we do not wish to trust these people with the Government of Ireland?

**MR. J. MORLEY :** I see nothing in the article to shake my confidence in them.

*Mr. A. Morley*

## FEMALE TELEGRAPHISTS AT DUBLIN.

MR. T. M. HEALY (Louth, N.): I beg to ask the Postmaster General, in view of the facts that there are eight female telegraph learners in the General Post Office, Dublin, qualified and doing regular clerk's duties, although not appointed, that all passed the competitive examination in 1891, and that three outsiders who were over age and did not compete were appointed, to the detriment of the others, will he explain why present vacancies are not filled by appointing those who entered the Service regularly; and will their appointments date as from last year, so that no injustice may be done them?

MR. A. MORLEY: The facts are not as stated in the question. The number of telegraph learners is only five, not eight; only one, not three, outsiders have been appointed; and when this appointment was made no one of the telegraph learners was qualified. At the present time there are no vacancies.

## THE ROYAL IRISH CONSTABULARY.

MR. T. M. HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is now the general rate of allowance per diem to County and District Inspectors Royal Irish Constabulary for forage for each Cavalry and Transport horse, why is this allowance, like that for stable requisites and repairs of saddlery, not paid to the men in charge of the animals, seeing that the men purchase the forage themselves, who are at present often out of pocket for a month, and are in some instances obliged to take repayment by instalments from the officers who draw the full allowance monthly, and do any officers make a profit on the business; are County and District Inspectors, who draw a yearly allowance of £50 for a private horse and £46 for a servant, permitted to convert the outhouses of the barracks where they are located into stables and carhouses; has this practice, apart from the sanitary objection, the effect of depriving the men who pay the rent of any place to store their provisions, which to their loss must be bought daily in small quantities; do County and District Inspectors draw a yearly allowance as rent for an office in addition to the rent for a house when they convert a room in the barrack into an office; and what was the result of the

agitation of the officers about a year ago for an increase in their stationery allowance, and did they then look for similar treatment for men in charge of stations?

MR. J. MORLEY: The allowance to the Royal Irish Constabulary for the forage of a troop horse is 1s. 8d. per diem, and of transport horses, and troop horses doing transport work, 2s. per day. The allowance could not, I am informed, be paid to the man in charge, inasmuch as the officer is held responsible for the provision of forage of the best quality. When forage is exceptionally cheap the horses may possibly be fed for less than the above rates; but, on the other hand, the Inspector General has invariably refused frequent applications for increase of the allowance when the cost of forage was exceptionally high. The Inspector General informs me that, in taking houses for barracks, great attention is given to sanitary matters and the conveniences of the men to be stationed therein; he has no reason to think that any encroachment or failure in these respects has occurred, as implied in the question; but if any instance of the kind is brought under his notice, or any case in which an officer has failed to pay for the forage of the horses in his charge—which would be a distinct breach of the Regulations—such cases will be promptly dealt with. County Inspectors receive an office allowance of 1s. per day, which provides for cleaning, fuel, and light, and also for the wear and tear of any office furniture, such furniture not being supplied by the public, but by the officer out of his own pocket. It is considered desirable that, as far as possible, offices should be placed in barracks, and the Regulations require that a barrack at a district headquarters should have a suitable office for the District Officer. In the very few cases, however, where this cannot be done, and the District Inspector is obliged to convert a room in his house into an office for the transaction of public business, he is allowed £10 per annum. The stationery allowance of County Inspectors was increased from £8 to £10, and that of District Inspectors from £2 to £3 per annum, in December, 1890. When applying for the increase these officers were not, I am told, in a position to make any application of the nature suggested; indeed, a strong point in their application was that the



allowance to sergeants in charge of stations had been doubled, while they (the officers) had received no increase.

#### MEMBERS AND GOVERNMENT CONTRACTS.

**MR. STRACHEY** (Somerset, S.) : I beg to ask the Civil Lord of the Admiralty whether his attention has been called to the statement made by the hon. Member for Wednesbury, in a speech delivered at a Primrose League meeting held at Wednesbury on 27th of April, that he (the hon. Member for Wednesbury) had had the privilege of doing something directly for the borough by influencing for a large firm an order from the Admiralty which would extend over five years; and whether he can give particulars of the contract referred to, and the grounds on which it was allotted in the manner described?

**MR. WILSON LLOYD** (Wednesbury) : Before the question is put—I do not know what the motive is, but I presume it is personal to me, and suggests that I did something that was wrong—I should like to explain that I certainly used all the influence possible to induce an Admiralty order being placed at Wednesbury; but I did not suppose that the influence of so humble an individual as myself would weigh with the Admiralty, although, as the order did go to Wednesbury, my constituents naturally think otherwise. But I do desire to repudiate altogether the suggestion that I used any improper influence; and, indeed, I do not for one moment think that the Admiralty would have been susceptible to any improper influence. I only did what I was strictly justified in doing.

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. E. ROBERTSON, Dundee) : The hon. Member for Wednesbury addressed a letter to the Director of Admiralty Contracts, in November last, requesting that favourable consideration might be given to a firm at Wednesbury who had tendered to supply chain cables for the Navy. Following the usual practice, the lowest tenders were accepted; and as that sent on by the firm alluded to was a tie with that of another firm, and these two were lower than the tenders of the other competing firms, the orders were divided between the two. The letter from the hon.

Member had not the slightest effect in determining the acceptance of the tender.

#### FREE EDUCATION AT BIRKENHEAD.

**MR. GRIFFITH-BOSCAWEN** (Kent, Tunbridge) : I beg to ask the Vice President of the Committee of Council on Education whether his attention has been drawn to the fact that a leaflet which has been extensively distributed to parents of children being educated at St. Peter's School, Birkenhead, in which parents desiring perfectly free education for their children are recommended to copy out and sign an application to be forwarded to the Vice President, stating that they desire and cannot get schooling without fees; whether he has in consequence received any complaint as to the absence of free education at St. Peter's School; and whether he is aware that, as a matter of fact, free education is given at St. Peter's School to the children of all parents who ask for it, and that 400 children are being educated free there now; and, if so, whether he will take steps to put a stop to the circulation of such leaflets, as being calculated to injure the voluntary schools?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham) : I have not seen the leaflet to which the hon. Member refers. The Department have recently received a large number of applications for free education from parents in Birkenhead, and have, in pursuance of their duty under the Act, made a very careful inquiry into the number of free school places available in the district. It appeared that, at the time of this inquiry, St. Peter's National School provided 346 free places, of which, however, only 40 were for older children, the remainder being for infants. I have neither the wish nor the power to put a stop to the circulation of any documents informing parents of their rights under the Act, nor do I suppose that it was the intention of Parliament, in passing the Act, that its provisions should be concealed from the persons whom it was meant to benefit.

**MR. GRIFFITH-BOSCAWEN** : Arising out of the question, may I ask if the right hon. Gentleman does not consider it his duty to stop the circula-

*Mr. J. Morley*

tion of a leaflet which distinctly says that free schooling is not provided in voluntary schools, when, as a matter of fact, any parent can get it for his children if he only asks?

MR. ACLAND: Judging from what appears in the question as to the contents of a leaflet which I have not seen, I can only say I see no objection to it.

#### SEAMEN AND THE EMPLOYERS' LIABILITY BILL.

MR. HARRY FOSTER (Suffolk, Lowestoft): I beg to ask the Secretary of State for the Home Department whether the expression "seaman" in Clause 6, Sub-section D, and in Clause 7, Sub-section 2, of the Employers' Liability Bill, is intended by the Government to include members of a crew of a fishing vessel, where such members are not part owners, but are joint adventurers with the owners, receiving no weekly wages, but being entirely dependent upon the risks of the adventure for their share of the profits; whether the expression "ship," in Clause 7, Sub-section 2, of the said Bill is intended by the Government to include sailing vessels engaged in the fishing trade, where such vessels also carry oars; and whether he is prepared to accept Amendments to the said Bill, making it quite clear that the expressions "seaman" and "ships," respectively, are not so intended to apply?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The term "seaman" in the Employers' Liability Bill is unqualified, but the language of Clause 1 would only be applicable to such seamen as are in the service of an employer, and not to seamen who are co-partners in a fishing adventure. The answer to the second paragraph is "Yes," and with regard to the third, so far as I can judge, no Amendment is necessary in this respect, but I can express no opinion until I have seen the words in which a proposed Amendment is embodied.

#### THE INDIAN TELEGRAPH DEPARTMENT.

MR. LAWRENCE (Liverpool, Abercromby): I beg to ask the Under Secretary of State for India with regard to his recent statement that the number of officers of the Indian Telegraph Depart-

ment had been raised to 86, and that for exceptional reasons the number of the staff had fallen to 76, but steps are now being taken to raise them to 86, whether the Secretary of State is aware that in the last three years five officers have died and 21 have retired; whether these retirements occurred under the special provisions made in 1887, and were foreseen and provided for; and, if so, how; whether it is true that, out of a sanctioned strength of 84, there are only 74 officers in the Service, and of this number 16 or 17 are either absent on leave or about to take leave; that in three years six officers have joined from Cooper's Hill, three others have been transferred from the Indo-European Telegraph Department, and three upper subordinates have been promoted, while only two officers are now under provision from Cooper's Hill; whether, owing to the increase of work in the Department, the Government of India, before the hot season has set in, has intimated that no more leave can be granted; and whether it has been represented to the Secretary of State that there is danger of a breakdown among the officers owing to the extra work imposed on them?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. G. RUSSELL, North Beds.): The number of deaths, according to the latest information, is six; of retirements, 19. The retirements were provided for in the re-organisation scheme of 1887, the annual number of appointments from Cooper's Hill being raised from two to three. The strength of the Department is 74 at present, of whom 11 are known to be on leave. The facts are correctly stated by the hon. Member except that, with the view of bringing the staff up to its full strength, the annual recruitment both in this country (as already mentioned) and in India has been increased. It has been necessary to refuse leave to officers of the Department; and to relieve the tension we are appointing five temporary officers from this country. The answer to the last question is, "No"; but the necessity of recruiting up to the full strength of the Department as soon as possible has been urged by the Government of India and is fully recognised by the Secretary of State.

## COMPANY LAW.

**MR. S. EVANS** (Glamorgan, Mid) : In the absence of the hon. and learned Member for West Cavan, I beg to ask the President of the Board of Trade whether his attention has been called to a pamphlet by Mr. Bouchier F. Hawksley and another, on "Companies limited by guarantee without nominal capital," and showing the advantages of such companies from the point of view of the promoter, inasmuch as, according to the statement of the authors,

"The shares may be issued at a discount, the promoters may themselves be Directors, and sell their property to the company without the interposition of an independent and intelligent judgment of the transaction,"

without fully disclosing material facts, and the promoters and Directors avoid action for misfeasance if the sale be at an extravagant price; whether, having regard to the recent dicta of Mr. Justice Hawkins, any extension of the privileges of promoters is considered desirable by the Government; how many applications have within the past year been made to the Registrar of Companies for the registration of Trading Companies limited by guarantee without nominal capital, and what were the names of the proposed companies; what was the action of the Registrar with regard to those applications; and whether he will undertake that the Board of Trade will not allow any such company to be registered unless the Registrar should be compelled to register it by judicial decision?

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. MUNDELLA, Sheffield, Brightside) : My attention has been called to the pamphlet mentioned by the hon. Member. Twelve applications of the nature referred to have been made to the Registrar: Five of such companies have been registered, and the other seven applications have been refused upon instructions from the Board of Trade given on the advice of counsel. Legal proceedings against the Registrar in the case of one of the companies refused are now in progress; and, pending those proceedings, I think it better to express no opinion as to the future.

## BUTTER RATES FROM ENNIS TO CORK.

**MR. WILLIAM REDMOND** : I beg to ask the President of the Board of Trade whether the Waterford and Limerick

Railway Company are charging 4d. per firkin more than last year for single firkins sent from Ennis to Cork and intervening stations?

**MR. MUNDELLA** : I am informed by the Waterford and Limerick Railway Company that they have a large number of consignments of single firkins of butter by passenger train, and that the rates have not been advanced; they remain as they were in 1892. The hon. Member has been good enough to send me a delivery note; but it was a note of the Great Southern and Western Railway Company, and not of the Waterford and Limerick, and I am in communication with that company on the subject.

## THE LONDON EQUALISATION OF RATES BILL.

**MR. BOULNOIS** : I beg to ask the President of the Local Government Board when the London Equalisation of Rates Bill will be printed; and whether a full opportunity will be given before the Second Reading is taken for the Metropolitan Authorities to consider it?

**THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD** (Mr. H. H. FOWLER, Wolverhampton, E.) : I hope that the Bill will be circulated before Whitsuntide; perhaps by next Tuesday.

## MARLBOROUGH STREET POLICE COURT.

**MR. BOULNOIS** : I beg to ask the Secretary of State for the Home Department whether there is any foundation for the statement that, in consequence of two new Police Courts being required for the Metropolis, the Marlborough Street Court, now extensively used for that part of London, is to be abolished?

**MR. ASQUITH** : I answered this question some time ago. There is no present intention of abolishing Marlborough Street Police Court?

## THE HOME RULE BILL AND THE IRISH CHURCH FUND.

**MR. AIRD** (Paddington, N.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the amount of the Church property in Ireland which it is proposed in Clause 15 of the Government of Ireland Bill to give over to the control of the Irish Government?

**MR. J. MORLEY:** Investigations made in 1890 have shown that there is a sufficient margin left between the charge on the Irish Church Temporalities Fund and the income to afford a good security for its liabilities. But it is not practicable to form an estimate of the capital value of the unappropriated residue, inasmuch as the annual income of the fund alters from year to year from causes beyond the control of the Government, such as the redemption of annual charges by means of capital sums paid to the fund by those liable for payment, and similarly by the conversion of perpetual income into Terminable Annuities. A full description of the property of the fund will be found in the Report of the Irish Church Temporalities Commission for 1880 (C. 2,773 of 1880), and the charges upon the fund appear in House of Commons Paper, No. 130 of 1890, in regard to which the only appreciable change which has since arisen is in the first item, "The Church Loan," which has been reduced by about £750,000.

**MR. GOSCHEN** (St. George's, Hanover Square): Do I understand the Chief Secretary to say that, in the opinion of the Treasury, there is an available surplus in the fund, which would be a sufficient margin upon which to make further advances?

**MR. J. MORLEY:** That is not what I said. There is margin enough to meet outstanding liabilities. As to further advances, the answer might be different.

**MR. SEXTON** (Kerry, N.): Will the right hon. Gentleman lay on the Table a Return of the receipts and charges on the fund at the present moment?

**MR. J. MORLEY:** I will inquire if that can be done.

#### TRIAL BY JURY IN ASSAM.

**MR. PAUL:** I beg to ask the Under Secretary of State for India whether the notification of last October limiting the right of trial by jury in Assam has been withdrawn?

**\*MR. GEORGE RUSSELL:** The Secretary of State has been in communication with the Viceroy on this subject, and has ascertained that the Chief Commissioner of Assam has been instructed to withdraw the notification to which my hon. Friend refers.

#### PROMOTION IN THE CENTRAL TELEGRAPH OFFICE.

**MR. THEOBALD** (Essex, Romford): I beg to ask the Postmaster General why a clerk named Dunford, employed in the Central Telegraph Office, was recently promoted over the heads of upwards of 400 of his colleagues, who were senior in date of appointment by, from one to eight years; and whether he is aware that this is the second time that Dunford has been promoted over the heads of others of longer service?

**MR. A. MORLEY:** Mr. Dunford, in 1887, was selected by the Controller for special duties in the Controller's Office. The office in question has no separate classification; but the Controller selects from the general body of officers the best man he can find. In 1887 candidates were invited to offer themselves, and of these Mr. Dunford was selected as the most promising, and after two years' service in the Controller's Office was promoted to the first class. Last year the man standing immediately above Mr. Dunford in the Controller's Office retired on a pension; and Mr. Dunford, who stood next to him, was promoted in his room. On the general classification, Mr. Dunford's rotation number, counting from the top of his class, was not 400, but 283. It will be seen that Mr. Dunford's promotion in 1889, no less than in 1892, arose out of his selection for the Controller's Office, and this selection was determined by his superior qualifications.

#### CIVIL SERVANTS AND LEISURE HOURS.

**MR. FIELD** (Dublin, St. Patrick's): I beg to ask the Chancellor of the Exchequer whether civil, military, and naval officials are allowed to use their leisure in working Co-operative Stores, and the said stores are permitted a lighter system of Income Tax Returns than that accorded to ordinary business firms; and whether the Government intend to propose a measure which will prevent officials, paid by the State, from taking part in the management of such Societies?

**\*SIR J. T. HIBBERT:** Co-operative Stores, like those known as Army and Navy and Civil Service Stores, are not treated more favourably in the matter of Income Tax than ordinary business

firms. With regard to the remainder of the question, so far as it affects the Civil Service, I can only say that I am not prepared to recommend an alteration of the existing Rule on the subject, which I quoted on Monday from the Orders in Council relating to the Civil Service. I cannot answer for the Military and Naval Services.

**MR. FIELD:** Will the Government have any objection to appoint a Select Committee to inquire into the whole question, which is one of vast importance to the commercial community?

**SIR J. T. HIBBERT:** The matter has been fully considered by the Ridley Commission, and the late Government upon their Report came to the conclusion that it would not be desirable to interfere with the actions of Civil servants after office hours were over.

#### NORTON CANES SCHOOL.

**MR. HANBURY:** I beg to ask the Vice President of the Committee of Council on Education what steps the Department have decided to take with reference to the opening of a new school at Norton Canes, Staffordshire; whether they have made inquiry into the circumstances under which the sanction of the School Board was represented to them as having been obtained, and has now been formally withdrawn; and what inquiries as to the legality of this alleged sanction by the School Board were made before the Department itself consented to recognise this school as one entitled to receive an annual grant?

**MR. ACLAND:** The Norton-under-Cannock School Board wrote to the Department on the 19th April, stating that, at a meeting on the 17th, they had rescinded their previous resolution agreeing to the proposed school being put on the Annual Grant List by the Department. They have been informed that the Department cannot, on that account, withdraw from their undertaking to allow annual grants to the new school. There was nothing in the terms of the Board's original resolution which called for any inquiry by the Department, and the Board do not allege that it was passed in an irregular way.

**MR. HANBURY:** Is it not the fact that the information sent to the School Board was given solely on the authority of the Chairman, and that the resolution passed

in consequence was revoked? Is nothing to be done?

**MR. ACLAND** replied, that if any evidence of illegality were forthcoming it would be carefully considered.

#### BANGOR COLLEGE.

**MR. STANLEY LEIGHTON** (Shropshire, Oswestry): I beg to ask the Vice President of the Committee of Council on Education whether the University College of Bangor is subsidised out of moneys voted by Parliament; and, if so, what is the amount of the annual grant; and whether he can inform the House what Ministerial Department is responsible for the Vote, and to whose account the grant, if approved by Parliament, is paid?

**MR. ACLAND:** The Estimates for each year since 1884-5 have included a Vote of £4,000 to the University College of North Wales, Bangor, which will be found under Class IV., Head 7 (Universities and Colleges, Great Britain. The Treasury is the accounting Department for the Vote which includes this item, and pays it quarterly to the treasurer of the College. But the Vice President of the Committee of Council on Education is the Minister who, as representing the Government in this House on educational matters, would defend the Vote or give explanations with regard to it.

**MR. STANLEY LEIGHTON:** May I ask if any Report will be laid before this House to show that the funds are properly administered, before the Vote is asked for?

**MR. ACLAND:** Perhaps the hon. Gentleman will put that question on the Paper.

#### THE ELECTRIC LIGHT AT THE HOUSE OF COMMONS.

**SIR MARK STEWART** (Kirkcudbright): I beg to ask the First Commissioner of Works what was the cause of the temporary failure of the electric light on Monday night last; and whether the failure was the result of any defect of the apparatus within the precincts of the House, or whether it was due to any default on the part of the company which supplies the light?

**THE FIRST COMMISSIONER OF WORKS** (Mr. SHAW LEFEVRE, Bradford, Central): The temporary failure of

the electric light in some parts of the House on Monday last occurred in the case only of those lights supplied by the Westminster Electric Supply Company, and not in those connected with engines in the House. The failure was due to the melting by the electric current of one of the main safety fuses at the junction of the company's main cables with a main in the building. The current does not appear to have been abnormally strong. The fuse, therefore, which was originally supplied by the company must either have been originally too weak, or have been weakened by use. It is now proposed to replace it by one with a greater fusing margin.

#### TELEGRAPH MESSENGERS' DRILL.

**MR. BARTLEY** (Islington, N.): I beg to ask the Secretary of State for War whether he is aware that the telegraph messenger boys are already drilled with the Martini carbine; and if he will state definitely when the Artillery Volunteers will be supplied with that arm?

**\*MR. CAMPBELL-BANNERMAN**: It has been already stated that 23 corps of Artillery Volunteers have been supplied with Martini carbines, and that it is hoped that the remainder of the Force will be so supplied by the end of the present financial year. The arms which have been issued to the telegraph boys for the mere purpose of drill are unserviceable weapons, which cannot be fired, and which are not fit for either conversion or repair.

**MAJOR RASCH**: Is the right hon. Gentleman aware that the Enfield with which the troops are armed was obsolete in the days of Mr. Cardwell?

**MR. CREMER** (Shoreditch, Haggerston): May I ask when these weapons were first supplied to boy messengers in the Telegraph Service; and whether the Post Office Authorities consider skill in the use of rifles as an essential part of the physical training which the present Postmaster General described as so beneficial to the boy messengers?

**\*MR. CAMPBELL-BANNERMAN**: If my hon. Friend had heard my answer he would have learnt that the weapons issued to these boys are unserviceable weapons, which cannot be fired. If any further particulars are desired my hon. Friend must put a Notice upon the Paper.

#### EDUCATIONAL STATISTICS.

**MR. BARTLEY**: I beg to ask the Vice President of the Committee of Council on Education whether he can state the number of children in England and Wales of school ages (*i.e.*, between 5 and 14) who were estimated on the 31st August, 1892, to be of the class usually found in elementary schools; how many of these were on the school registers on that day, and the increase since the adoption of free education; and whether he can supply a Return similar to that at the bottom of pages 8 and 9 of Return C. 6,984, lately presented to both Houses of Parliament, showing the increase in the number and percentage of scholars on the school registers at the different ages since the introduction of free education?

**MR. ACLAND**: With regard to the hon. Member's first question, I cannot give any other information than that which is to be found on page 41 of the Return C. 6,984. The estimated number of children between 5 and 15 of the class usually found in public elementary schools at the middle of 1892 is there put down as 5,750,146. It is impossible to say how many scholars were on the school registers on any particular day, because the Returns are made up at the end of the school year for each school. The Returns for the schools inspected during the year ended 31st August, 1892, show that there were 4,489,041 scholars over five years of age on the registers, being an increase during the year of 126,913. If 50,000 of this is taken as due to normal increase of population, it may be assumed that the effect of the Free Education Act had then been to bring between 70,000 and 80,000 children of school age on to the school registers. I shall be happy to supply a Return which will practically give the information as to increase in number and percentage of scholars which the hon. Member desires.

**MR. BARTLEY**: Do I understand that Papers will be laid on the Table without further inquiry?

**MR. ACLAND**: If the hon. Member will move for them they will be granted.

#### THE LEE-METFORD RIFLE.

**MR. WEIR** (Ross and Cromarty): I beg to ask the Secretary of State for

War how many cartridges, loaded with cordite powder and nickel covered bullets, can be fired from the Metford regulation 303 barrel, before the same becomes worn and unfit for accurate shooting ?

**MR. CAMPBELL-BANNERMAN :** From experience in the proof of ammunition the number of rounds which may be fired before the rifle becomes unfit for accurate shooting appears to be about 3,000.

**MR. TOMLINSON (Preston) :** Did I rightly understand the right hon. Gentleman to say that the rifle is worn out after firing 3,000 rounds. Is that at all a satisfactory condition of affairs ?

**\*MR. CAMPBELL-BANNERMAN :** I did not say it was then worn out. I said it became unfit for accurate shooting. If the hon. Gentleman wishes for further information will he put a question on the Paper ?

#### MR. ORMOND'S APPOINTMENT.

**SIR WILLIAM WEDDERBURN (Bauflshire) :** I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State for India has been drawn to the Memorial of the Indian Association against Mr. E. W. Ormond's appointment to act as Second Judge of the Small Cause Court at Calcutta (an office carrying a salary of Rs.1,400 a month), and to an article giving in detail the facts of the case, both appearing in the May number of *India* ; will he state what were Mr. Ormond's judicial experience and qualifications which induced the Indian Government to appoint him Second Judge of the Small Cause Court, in which position he will have power to review the decisions of Mr. K. M. Chatterjee, the present acting Third Judge, in all cases not exceeding Rs.500 ; and whether, in view of the fact that the number of Indian litigants is in excess of European litigants, and that one of the first two Judges is a European, he will consider the desirability, in the interests of Indian suitors, of appointing an Indian as the other Judge ?

**\*MR. GEORGE RUSSELL :** The Secretary of State has not seen the article mentioned in the question ; he has, however, seen a Memorial, which is, no doubt, the one referred to, presented by the Indian Association to the Governor General in Council, who saw no

reason to interfere with the discretion exercised by the Lieutenant Governor in appointing Mr. Ormond. The salary of Mr. Ormond as officiating Second Judge is Rs.700 a month. Before appointing Mr. Ormond, the Lieutenant Governor considered the claims of several barristers who were eligible for the post, and eventually selected that gentleman, who is a barrister of six years' standing and was believed to be in all respects well fitted for the duties of the office. As regards the rest of the question, there is nothing to add to the replies already given (on the 10th and 14th of April) to my hon. Friend, except that it is not the case that the Second Judge of the Court, sitting alone, can review the decisions of the Third Judge. The practice is that applications for a new trial or to set aside a decree are heard before at least two Judges, one of them being the Judge who tried the case, and the other, ordinarily, the Chief Judge. At the present time, out of six Judges (including the Registrar of the Court, who disposes of many small cases under Rs.10), four are natives of India ; and, in the circumstances, the Secretary of State does not intend to interfere with the discretion which the law gives to the Lieutenant Governor in this matter.

**\*SIR W. WEDDERBURN :** Arising out of the question, may I ask whether it is not the duty of the Secretary of State to make inquiries into any complaints that may be made as to race partiality on the part of a Government in India making appointments to judicial offices, and, if necessary, to redress grievances if they should be proved to exist ?

**MR. W. A. HUNTER (Aberdeen, N.) :** Is it not the case that the act of superseding Mr. Chatterjee is viewed very unfavourably by all interested in India who are capable of judging Mr. Chatterjee's merits ?

**MR. GEORGE RUSSELL :** I have only to say that the conduct of the Lieutenant Governor in this case cannot reasonably be now taken into consideration. It is not for me, in dealing with this particular case, to pass any judgment upon him. As I have already said, in the present instance no case has been made out for the interference of the Secretary of State.

**\*SIR W. WEDDERBURN :** I beg to give Notice that I shall, on the Indian

Budget, call attention to the failure of the Secretary of State to give effect to the Queen's Proclamation, which enjoins strict impartiality as regards race, caste, and creed.

#### THE AGRICULTURAL DEPRESSION.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Agriculture why "the wide prevalence of agricultural distress" referred to in the Queen's Speech has as yet received no consideration at the hands of Her Majesty's Government, and if, having regard to the long-continued drought, the absence of food for horses, cattle, and sheep, the depreciation of stock, and the prospect of a hay famine, no remedial or palliative measures are to be proposed; and why two months of legislative time have been allowed to elapse before the appointment of the Select Committee promised on the 16th of March last, to consider the desirability of enabling the public to detect imposition and to distinguish between British and Irish products and those of foreign countries by requiring the latter to bear a mark of their foreign origin?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden): It is not the case that the existing depression in agriculture has received no consideration at our hands. On the contrary, we have been only too glad to investigate the numerous proposals which have reached us on the subject; and in this connection we regret that we have not had the assistance of the Committee which we proposed to appoint, and in regard to which Notices still stand in the names of hon. Gentlemen opposite. With reference to the particular circumstances of the present moment to which the hon. Member refers, I should hope that the existing apprehensions in some districts owing to the absence of rain may yet be removed, and it is obvious that the possibilities of any Government action are but very small when difficulties are due to exceptional climatic conditions. With regard to the second paragraph of the question, it is scarcely for me to explain here the proceedings which have taken place in connection with the appointment of the Committee to which the hon. Member refers; but I understood that

Reference have been the subject of constant communication amongst those concerned since its appointment was promised, and, as the hon. Member is aware, it has now been definitely appointed.

MR. GIBSON BOWLES (Lynn Regis): May I ask whether the attention of the right hon. Gentleman the President of the Board of Agriculture has been called to the highly successful experiments in rain-making which have been carried out in certain parts of America; and whether he thinks it his duty to take any steps with a view to putting an end to the long-continued drought in this country by the adoption of the American method?

MR. GARDNER: The subject has been brought to my attention, but I am informed that the experiments tried in the United States last year were not a success, and that the American Government are not granting any more money for the purpose. If the hon. Member or any other hon. Gentleman interested in agriculture would like personally to make some private experiments in the direction indicated I shall watch them with great interest.

\*MR. BROOKFIELD (Sussex, Rye): I beg to ask, in connection with the appointment of a Select Committee, whether any communication has reached the right hon. Gentleman to the effect that many Members of the Opposition, although not believing in the adequacy of the Select Committee, would very much prefer the appointment of such a Committee to nothing being done at all; and that if the right hon. Gentleman could see his way to narrow the scope of the proposed Reference hon. Members on the Opposition side of the House would use their influence with the right hon. Gentleman the Member for Sleaford (Mr. Chaplin) to induce him to withdraw his Amendment.

MR. GARDNER: If the hon. Gentlemen opposite, referred to in the question, are able to prevail on their friends to withdraw their opposition to the appointment of a Select Committee, the Government will be glad to consider any suggestions that may be made as to the scope of the Reference.



\*MR. BROOKFIELD : Has the right hon. Gentleman given any consideration to the Amendment in my name on the Paper with regard to this particular point?

[No answer was given.]

#### THE CONVICTION OF JOHN HUNTER.

SIR THOMAS LEA (Londonderry, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the case of a farmer named John Hunter, who was sentenced at Magherafelt Petty Sessions, on 26th April, for assaulting a constable during the recent Ballyronan disturbance, to a month's imprisonment, and convicted upon the constable's sole evidence, without any corroboration, the Magistrate refusing leave to appeal; whether he is aware that Hunter's solicitor wished to call witnesses, who, he alleged, could have proved conclusively that Hunter was not there at the time of the alleged assault, but the Magistrate did not hear them, and that affidavits of defendant's innocence have been sent through the solicitor to the Lord Lieutenant, and the names of two sureties willing to enter bail for £1,000 that defendant would appear at any time to take his trial again if liberated now; and whether any, and what, reply has been returned to this application?

MR. T. M. HEALY (Louth, N.) : Is it not a fact that the hon. Baronet and his Colleagues of the last Government invariably voted against giving a right of appeal in all these cases?

MR. J. MORLEY : I cannot say that without notice. Hunter, I am informed, was sentenced to one month's imprisonment for deliberately and without provocation assaulting a policeman; no witnesses were called for the defence, although the defendant had been summoned a week prior to his conviction, and had, therefore, ample time to produce any witnesses he pleased. The decision of the Magistrates in this case was unanimous, and it is true that they decline to accede to the request of defendant's solicitor to increase the sentence with a view to an appeal. The Lord Lieutenant has had before him the Memorial with affidavits on behalf of Hunter, and has decided that the law must take its course. This decision was

communicated to Hunter and his solicitor on the 4th instant.

MR. SEXTON : What is the meaning of the suggestion in the question that a man who has been convicted should have a right to another trial if liberated now?

MR. J. MORLEY : That is a matter which perplexes me.

#### BRUTAL OUTRAGE AT TULLA.

MR. ARNOLD-FORSTER (Belfast, W.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a horse belonging to Mrs. Perry, of Fomerla, Tulla, the widow of Mr. Perry, who was murdered under circumstances of great brutality near Tulla, has been maliciously stabbed; and whether any motive has been assigned for the outrage?

MR. J. MORLEY : I am informed that a horse belonging to Mrs. Perry, whose husband was murdered as stated in January, 1892, was maliciously stabbed between the 28th and 30th of April last, by some person at present unknown. The only assignable motive for this latter outrage is the recent dismissal of a man in Mrs. Perry's employment.

#### HEAD TEACHERS FOR VILLAGE SCHOOLS.

MR. STANLEY LEIGHTON : I beg to ask the Vice President of the Council on Education whether he has received many complaints from agricultural districts as to the difficulty of finding head teachers for small village schools, even though increased salaries have been offered; if he has any information to show whether the difficulty is largely owing to the fact that pupil teachers who have passed the Queen's Scholarship and have obtained a second class are no longer permitted to take charge of schools where the average attendance does not exceed 60; and whether he proposes to take any steps to meet the difficulty?

MR. ACLAND : I am not aware that many complaints have been received in the Department of the kind stated. But I will make inquiries, and if I find that the difficulty is really serious I will endeavour to take steps to meet it.

## DOMINICA.

SIR THOMAS ESMONDE (Kerry, W.): I beg to ask the Under Secretary of State for the Colonies if he can state the decision at which the Colonial Office has arrived in respect of the inquiry asked for by the elected Representatives of Dominica into circumstances of the recent shooting of the people at La Plaine; and whether an inquiry will be granted into the administration of the public loans, the taxation, expenditure, and general conduct of the Government of Dominica?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar): The Secretary of State has given his most careful attention to the late lamentable occurrences in Dominica. So far as we are already in possession of the facts of the case, there seems to be no necessity for instituting a special inquiry into these events. But the Governor has been called upon to furnish a full Report on the statements contained in the Memorial of the elected Members; and, further, he has been instructed to report fully and carefully on the grievances complained of by the people of La Plaine, so that action may be at once taken to remedy, where possible, any injustice or disability from which the people may be suffering.

MR. TUIITE (Westmeath, N.): I beg to ask the Under Secretary of State for the Colonies whether any official Report has been received at the Colonial Office from the Governor of Dominica with reference to the recent fatal riots at La Plaine; whether the Governor of the Island and the Chief Magistrate, Mr. Le Hunte, were present when the police fired on the people, killing four persons and wounding two others; whether Mr. Le Hunte, who was in command of the police on the occasion, afterwards presided at the inquest on the victims; and, if so, what action will be taken with regard to that official; can he state the nature of the document which Sir W. Haines Smith and Mr. Le Hunte asked the man Collard to sign; and whether an inquiry will be instituted into the conduct of Sir W. Haines Smith and Mr. Le Hunte, and the circumstances which led to the disturbances?

MR. S. BUXTON: The answer to the first question is, yes. As regards the second question, the Governor and Mr. Le Hunte were present when the firing took place. The police fired without orders, but under extreme provocation, and the Governor at once gave orders to cease firing. Mr. Le Hunte was not in command of the police on this occasion. He presided at the inquest as Coroner of the district. As regards the fourth question, the Governor offered to allow Pierre Colar to resume possession of his house, from which he had been ejected, if he would give an undertaking to pay the amount he owed for taxes and costs at some future time, if he were able and were called upon to do so. On his refusal, the police proceeded to carry out the process. As regards the last question, I would refer the hon. Member to the answer I have just given to the hon. Member for West Kerry.

## SHIPPING LIGHT DUES.

MR. GIBSON BOWLES: I beg to ask the President of the Board of Trade whether, in the year ending 31st March, 1892, the sum of £518,241 18s. 11d. was received from light dues from shipping, that in addition thereto there was received the sums of £3,460 1s. 9d. and of £111 16s. 5d. or £3,571 18s. 2d. in all from unclaimed wages of deceased and living seamen, and the sum of £1,087 16s. 7d. for unclaimed wreck and salvage; whether, in all, there was received in the said year a total sum of over £522,000 directly derived from ships and sailors which was credited to the Mercantile Marine Fund; whether payments amounting to 142,543 5s. 11d. were made out of that Fund, not for the maintenance of lights, buoys, and beacons, but for salaries and expenses of Mercantile Marine Offices and Surveys; and whether it is proposed by Her Majesty's Government to continue to direct funds derived directly from ships and sailors to purposes not for their immediate benefit?

MR. MUNDELLA: The figures quoted by the hon. Member are given in the published account of the Mercantile Marine Fund for the year ending March 31, 1892, to which must be added a grant of £40,000 made by Parliament. The salaries and expenses of the Mercantile Marine Offices and Surveys are

charged to the Fund in pursuance of Act of Parliament; and I cannot agree with the suggestion of the hon. Member that ships and sailors derive no immediate benefit from the expenditure.

#### THE TRANSIT OF LIVE STOCK.

**MR. FIELD:** I beg to ask the President of the Board of Trade whether it is the intention of the Government to introduce a Bill to amend the law with respect to the liability of carrying companies to compensate the owners of live stock for injuries inflicted during transit and losses accruing from unwarrantable delay; and whether the proposed Board of Arbitration shall have the power to assess and levy the amount of damage caused by bruises, or deterioration arising from the want of proper accommodation or from the negligence of such companies or their officials?

**MR. MUNDELLA:** I am advised that, under the Act of 1854, every Railway Company is liable for loss or injury to horses and cattle occasioned by neglect or default. A company must also deliver within a reasonable time. I do not know to what proposed Board of Arbitration the hon. Member refers.

**MR. FIELD:** Is the right hon. Gentleman aware of the fact that we can never get a decision as to what a reasonable time is?

**MR. MUNDELLA:** That is a question for the Courts to decide, having regard to the facts of each particular case.

#### OVERCROWDING THE DIVISION LOBBIES.

**MR. KNATCHBULL-HUGESSEN** (Kent, Faversham): I beg to ask the First Commissioner of Works whether he is aware of the great discomfort suffered by Members of this House from the insufficient ventilation of the Division Lobbies; and whether, to remedy this, he will cause either open gratings or swing windows to be placed over the doors in the Lobbies, instead of the present arrangement by which all fresh air is excluded?

**MR. SHAW LEFEVRE:** I fear that occasionally when any large numbers of Members vote in the same Lobby there is discomfort from the want of fresh air as well as from overcrowding. The ventilation officers endeavour to

meet this as far as possible by supplying an additional quantity of air; but, as this is not always a sufficient remedy, I have directed the attendants, when very large numbers of voters are expected, to open the windows before the Lobbies are cleared for Divisions. The framework over the doors in the Lobbies is already entirely open and has been so for some years past.

#### THE FACTORY ACT IN INDIA.

**MR. PROVAND** (Glasgow, Blackfriars): I beg to ask the Under Secretary of State for India if the Government intend to send a Factory Inspector to India to report on the working of the Factory Act in that country; and, if so, will he print and circulate a copy of the Instructions to be given to the Inspector?

**\*MR. GEORGE RUSSELL:** There are Factory Inspectors already at work in India under the orders of the Government, and we are now awaiting their Reports for last year. The Secretary of State will ask the Government of India to append to their Reports copies of any General Instructions issued by them, or by Local Governments, for the guidance of Factory or Mine Inspectors. We are now sending out an Inspector to inquire into the working of the mines.

**MR. PROVAND:** Will a copy of the Instructions be printed and laid before the House?

**MR. GEORGE RUSSELL:** Yes, Sir.

**SIR J. GORST** (Cambridge University): Will the special attention of the Inspector be called to the continued employment of women in underground mines?

**\*MR. GEORGE RUSSELL:** Yes, Sir. That is one of the chief objects in sending out the Inspector. He is specially directed to inquire into that.

#### THE PAYMASTER GENERAL'S OFFICE.

**MR. WEIR:** I beg to ask the Secretary to the Treasury if he will explain on what grounds the chief clerk in the Paymaster General's Office, who was retired on 1st January 1892, under the provisions of Clause 10 of the Order in Council of 15th August, 1890, as being over 70 years of age, was nevertheless employed and paid the difference between full pay and pension up to 30th June,

*Mr. Mundella*

1892; and who is responsible for this contravention of the Order in Council?

SIR J. T. HIBBERT: The late chief clerk in the Paymaster General's Office was, after the award of his pension, employed in a temporary capacity for the convenience of the Public Service pending final arrangements for the superintendence of the Department. The temporary service did not count for pension, and there was no contravention of the Order in Council.

#### THE MINES (EIGHT HOURS) BILL.

MR. WOODS (Lancashire, Ince): I beg to ask the First Lord of the Treasury if, with a view of facilitating the passing of the Mines (Eight Hours) Bill into law this Session, it having passed its Second Reading on 3rd May by a large majority, he will give to the promoters of the Bill reasonable opportunities for relegating the Bill to the Grand Committee on Law?

MR. DAVID THOMAS: At the same time I will ask the right hon. Gentleman whether there is any precedent for referring to the Grand Committee on Law a private Member's Bill of so highly controversial and exceptional a character as the Mines (Eight Hours) Bill?

THE FIRST LORD OF THE TREASURY (MR. W. E. GLADSTONE, Edinburgh, Midlothian): There are many reasons why it would be desirable, if we could, to find further opportunities for the discussion upon this Bill; but with respect to the particular mode of procedure suggested—though I can quite understand the reasons for the suggestion—there are, I am afraid, great objections. I doubt very much whether the Bill could be referred to a Grand Committee without much debate; and I doubt whether, when it came out of Grand Committee, there would not be a disposition to discuss over again the matter there decided. This is a solid ground of objection, because I think it must be admitted that when there is so considerable a minority opposed to a Bill—and opposed to it, not upon casual and secondary grounds, but upon matters of principle and substance in the Bill—it would hardly be in accordance with the understanding on which Grand Committees were established that we should refer such Bills to a Grand Committee.

MR. TOMLINSON: May I inquire whether the Government intend to propose any Amendments; and, if so, when they will be placed upon the Paper?

MR. GLADSTONE: The Government has not taken part as a Government in the question, and until there is some opportunity of further progress with the Bill, I do not think it is very likely the Government will put down any Amendments.

MR. HOZIER (Lanarkshire, S.): Will the Government give an opportunity for the Bill?

MR. GLADSTONE: I am not in a position to give any promise on that subject.

#### THE REGISTRATION BILLS.

DR. MACGREGOR (Inverness-shire): I beg to ask the First Lord of the Treasury whether he will consider the expediency of proceeding with the Scotch Registration Bill, independently of the English Bill, the former being less contentious in its character than the latter?

SIR H. MAXWELL (Wigton): On a point of Order, I beg to ask you, Mr. Speaker, whether the concluding part of the question does not include controversial matter?

\*MR. SPEAKER: It would be well if the words "the former being less contentious in its character than the latter" were omitted.

MR. W. E. GLADSTONE: My hon. Friend is aware that our desire is that this Bill should be further considered and passed; but my opinion is that our best course is to keep it as nearly *pari passu* with the English Bill as we can, and in company with the English Bill. I do not think there would be any advantage in discussing the main provisions of the Scotch Bill before they have been discussed in the English Bill; but if we can discuss them in the English Bill, then the difficulty with regard to the Scotch Bill will disappear.

#### VACCINATION.

MR. A. J. BALFOUR (Manchester, E.): I beg to ask the Home Secretary, with reference to the Motion standing in his name—for leave to introduce a Bill to amend the Vaccination Act of 1867—which he proposes to take under the special Standing Order at the commence-

ment of Business, if the Bill is based upon the recommendation of the Royal Commission, and if it proposes to abolish compulsory vaccination? If it does, does he not think it of too controversial a character to be brought in with these exceptional facilities?

MR. ASQUITH: If it were a Bill to abolish compulsory vaccination I should entirely agree with the right hon. Gentleman; but it is nothing of the kind. A Commission has been sitting for some years, and the main subject of the Commission—namely, the expediency of compulsory vaccination—is a subject on which they have not yet reported; but they have presented an interim Report, signed by every Member of the Commission, in which they suggest that two changes in the law should be made at once. In the first place they report—

“We think that the imposition of repeated penalties in respect of the non-vaccination of the same child should no longer be possible. . . . We have arrived at this conclusion quite independently of the question whether vaccination should continue to be compulsorily enforced.”

The second recommendation is that persons imprisoned under the Vaccination Acts should no longer be subjected to the same treatment as criminals, but should receive the privileges of first-class misdemeanants and persons committed for contempt of Court. They add—

“Many of those whose imprisonment arises from their contravention of the laws relating to vaccination regard the practice as likely to be injurious to the health of their children, and are well-conducted and in other respects law-abiding citizens.”

This Report is signed—without giving all the names—by the present Lord Chancellor, Sir James Paget, Sir William Savory, Dr. J. S. Bristowe, Professor Michael Foster, and Mr. Jonathan Hutchinson; and the Bill has been framed to give effect to these unanimous recommendations of the Commission.

#### INCENDIARY FIRES AT HULL.

MR. DARLING (Deptford): I beg to ask the Home Secretary whether he can give any information as to the reported great fire at Hull last night; whether there is any evidence that the fire was intentionally caused; and whether any person has been brought to justice for the repeated fires which have recently occurred in the town?

*Mr. A. J. Balfour*

MR. ASQUITH: I have not received official confirmation of the report, and I will, therefore, ask the hon. and learned Gentleman to give notice of the question.

#### COMMITTEE ON RAILWAY RATES AND CHARGES.

DR. CLARK (Caithness): May I ask the President of the Board of Trade when he intends to move the appointment of the Select Committee on Railway Rates and Charges?

MR. MUNDELLA: I hope to move it on Monday night.

#### PUBLIC BUSINESS.

MR. J. CHAMBERLAIN (Birmingham, W.): I wish to ask the First Lord of the Treasury whether the Government have decided what Business they will take first after the Whitsuntide Holidays? Will they take the Home Rule Bill on Monday?

MR. W. E. GLADSTONE: No; we shall take Votes in Supply.

#### THE DUBLIN TRAINING COLLEGE.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the intention of the Government to appoint a Professor in the training college instead of Professor Joyce lately resigned; and whether he is aware that in consequence of delay the teachers are deprived of their usual lectures in method and organisation?

MR. J. MORLEY: It is intended to appoint a successor in the Marlborough Street Training College to succeed Mr. Joyce. Arrangements for instruction in matters of school organisation have been made pending the appointment, and the students are, therefore, not deprived of any instruction they otherwise would have had.

MR. FIELD: At what date may the appointment be expected?

MR. J. MORLEY: I am afraid I cannot answer that, but I will inquire.

#### IRISH DISTRICT LUNATIC ASYLUMS.

DR. KENNY (Dublin, College Green): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Boards of

Richmond District Lunatic Asylum, Dublin, and of the Cork District Lunatic Asylum, have passed resolutions condemning the new Rule of the Lunacy Board of Dublin Castle, which provides for the abolition of the office of visiting physician or surgeon to district lunatic asylums in Ireland; whether any remonstrances against this Rule have been made to him by the general public or the medical profession on the grounds that it cuts off the inmates from all independent connection with the outside world; and whether he will have said Rule re-considered with a view to its abolition?

MR. J. MORLEY : I find that the new Rule referred to was issued in December, 1891, after careful consideration, by the right hon. Gentleman the Member for East Manchester (Mr. Balfour), and as a result of a specific recommendation of the Committee of which Sir Arthur Mitchell, of the Scotch Lunacy Department, was Chairman, appointed to inquire into the administration of the Lunacy Laws in Ireland. It is true that a few Asylum Boards (the Cork Board, but not the Richmond Board being among the number) passed resolutions in favour of the retention of the office of consulting or visiting physician; but the great majority of the Boards either expressed warm approval of the new Rule or accepted it without comment. I might also mention that some of the principal medical authorities on mental diseases and lunacy administration, at their meeting in London in May, 1892, expressed the opinion that the change would be found to act with decided advantage to the lunacy work generally in Ireland, as has been the case in other countries where the corresponding office has been abolished. I do not consider that any sufficient grounds have yet been shown for a reversion of the old system in this respect.

MR. JOHNSTON : Was this resolution passed in consequence of the subsequent remodelling of the Board and of its being packed by Nationalists?

MR. J. MORLEY : Not at all.

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL

(No. 209.)

COMMITTEE. [*Progress 10th May.*]

FOURTH NIGHT.

Bill considered in Committee.

(In the Committee.)

Clause 1.

MR. W. REDMOND (Clare, E.) moved an Amendment to leave out the words "the Legislative Council and the Legislative Assembly," and insert, "to be styled the Senate and House of Commons of Ireland." He said he thought that this Amendment could not be subjected to the same opposition which was offered to the Amendment he proposed in regard to the use of the word "Parliament," nor would it arouse those susceptibilities and jealousies which the Chief Secretary said would be called into play if the word "Parliament" was used. He imagined that there would not be any diversity of opinion among the Irish Members in regard to the Amendment. He had not based his Amendment upon the fact that these words were used in Canada, any more than he thought that an objection to the Amendment should be brought forward because the words were not used in the Legislative Bodies of the various Colonies of the Empire. There was no analogy between the case of Ireland and the case of the Colonies in regard to these names. They were not starting a Legislature in Ireland for the first time; what they were doing was restoring to the Irish people the right of governing themselves which they had before; and, that being so, they were bound to take into consideration as far as they could what the names were which were in use in the old days, when the Irish people had their own Parliament. There could not be any question at all that there was a strong sentiment in favour of the adoption of the words "House of Commons." The adoption of that title could not be injurious to the prospects of the Bill. If they adopted the words of his Amendment there would not be a single additional vote against the Bill; and if they did not adopt the words of his Amendment they would not relax, so far as he knew, the hostility to the measure

shown by hon. Members who had announced their intention to vote against it. He, therefore, appealed to the Government to accept his Amendment. He believed this change was strongly desired by the Irish people. Whatever the feeling of the majority of the Irish Members might have been in regard to the substitution of the word "Parliament" for "Legislature," he did not see how there could be any difference of opinion among them with regard to the substitution of the words "House of Commons" for "Legislative Assembly," and "Senate" for "Legislative Council." He was sorry that he had interrupted the hon. Member for North Longford yesterday, because it was done under the erroneous impression that the hon. Member was making a statement to the effect that he (Mr. Redmond) cared very little about the interests or the dignity of the Irish Parliament. That was a statement which he could not allow to be made about him by anybody; but, as he had found that the hon. Member for North Longford was not referring to him, he would say that he regretted having made the interruption which he did. When he was attacked he would always interrupt as far as he could. But with regard to this Amendment, he was glad to say that there was no difference whatever between the Member for North Longford and himself, as was shown by an article in the March number of *The Nineteenth Century*. Under these circumstances, he did not see why the Government should hesitate to accept the Amendment, because it was an Amendment which, in the words of the hon. Member for North Longford, substituted words far more preferable to the Irish people of all sections than the words "Legislative Council" and "Legislative Assembly." Unless the Government could see some solid reason against it, he would earnestly urge them to accept the Amendment. He was certain that almost every Member opposite who was in favour of Home Rule for Ireland would be in favour, if the Irish Members desired it, of allowing them to call their Assembly the "House of Commons," under the old style adopted in the days when Ireland had a Parliament of its own. He was quite sure that the right hon. Gentleman the Chief Secretary was anxious to meet the wishes of the Irish people as far as it was

possible. He would, therefore, appeal to him to make this Bill more palatable and satisfactory than otherwise it would be.

#### Amendment proposed,

In page 1, line 13, leave out "the Legislative Council and the Legislative Assembly," and insert "to be styled the Senate and House of Commons of Ireland."—(Mr. William Redmond.)

MR. A. J. BALFOUR: On a point of Order, Sir, may I ask whether it is necessary to put the whole Amendment of the hon. Gentleman at once? I ask you for this reason—that while I should be disposed personally to vote for the Upper Chamber being called the Senate, I should certainly vote against the Lower Chamber being called the House of Commons. Therefore I should like to know whether the Amendment cannot be put in two divisions?

MR. W. REDMOND: Perhaps I may be allowed to say that it is with regard to the words "House of Commons" that I feel most strongly. You may call the Upper Chamber what you like.

THE CHAIRMAN said, he should put the Question that the words "the Legislative Council" stand part of the Clause.

MR. J. MORLEY: I hope the hon. Member will believe I am sincere in saying I am very sorry that the Government cannot accede to the Amendment. My hon. Friend asks whether we can give any solid and sufficient reason for such refusal; but I think, if no other reason could be found, it would be found in the fact that the night before last the Committee negatived the use of the word "Parliament" as a designation for the two Chambers. If "Parliament" had been adopted, there would have been some show of reason for substituting "House of Commons" for "Legislative Assembly," and a less obvious one for substituting "Senate" for "Legislative Council." The word "Parliament" is used in Canada, and not in the other Colonies, for the simple reason that the Dominion Parliament is at the head of a Federation and has subordinate Legislatures under it. For that reason, among others, we object to the use of the word "Parliament" in this Bill, and on the same ground, among others, we cannot accept "Senate" and "House of Commons."

Mr. W. Redmond

Except in the case of the Dominion Government the term "Senate" is entirely unknown in our diversified Colonial system, and I do not know why in Ireland in particular it should be first employed.

MR. T. W. RUSSELL (Tyrone, S.) said, he would advise the hon. Member not to proceed with the Amendment, first of all because he belonged to a Party which was not considered at all in this compact, and which, therefore, had not the slightest chance of being granted any concession.

MR. W. REDMOND: In order to save time I may tell the hon. Gentleman that I never dream of taking his advice.

MR. T. W. RUSSELL said, he knew that, but he was going to submit another reason for the withdrawal of the Amendment, which he thought was a stronger one. When they got this Parliament they could call it what they liked in spite of law or Act of Parliament.

\*MR. DARLING (Deptford) said, that the word "Senate" might bring disagreeable remembrances to the English people. The word "Senate" suggested the glories of Rome, and he wondered that in consulting the susceptibilities of his hon. Friends it did not occur to the Chief Secretary that the place where Cato lived and Tully spoke would rather tend to dignify the body which he was about to establish in Dublin. To the English mind it recalled the one nation that had ever conquered us, and certainly the nation which, if this Home Rule Bill passed, would have conquered us for a second time, might fitly have its Senate also. He would also like to know whether there was any objection in Constitutional Law to calling this Body a Senate?

MR. T. M. HEALY rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

MR. A. J. BALFOUR said: Yesterday the Committee accepted the principle of a Second Chamber, and my desire is to see that the Second Chamber should be one, as far as possible, capable of carrying out its functions. I think the Committee should be committed to making a strong Second Chamber if you call it by the name "Senate" rather than

by the colourless appellation "Legislative Council." The Senate of the United States, of France, and of Canada were all Bodies of great importance, carrying much weight in their respective political systems. If you are to adhere to the Second Chamber, I desire it should be an effective one, and honoured by a name which would practically compel those in charge of the Bill so to modify their proposals as to enable the Second Chamber really to carry out its functions.

MR. ARNOLD-FORSTER (Belfast, W.) said, he observed that the one thing on which the House had been wonderfully unanimous was that there should be no "Parliament" in Ireland—a point about which his constituents had been much alarmed, because they were told that there was to be a Parliament in Ireland. The Government had decided they would not have the word "Parliament," and now they had determined they would not distinguish this Body by the word "Senate." He believed that in this matter the Government were representing the views of his constituents, and doing the best they possibly could to destroy this delusion of Parliamentary Government, and he should vote against the proposal as to the use of the words "House of Commons."

MR. HARRINGTON (Dublin, Harbour) said, if the constituents of the hon. Member were as satisfied as he was, and their only objection to an Irish Parliament had been removed by the exclusion of the word "Parliament" from the Bill, the Irish Members felt very happy. They were delighted to have had the opportunity of reconciling the constituents of the hon. Member; and if his constituents were really of the same mind as the hon. Member, the Nationalist Members of Ireland had reason to congratulate themselves very much. Their objection to the word "Council" was really because of the public inconvenience which it would create. It was a word in very common use with respect to Municipal Bodies, and it might come into common use in respect to other Local Bodies—such as County Councils—which might be adopted hereafter, and if they were to have no other means of distinguishing the Upper Assembly except the word "Council" it would lead to much confusion. He did not, therefore, see any reason why the Government



should not adopt some better word, such as that proposed. He supported the Amendment, but not for the same reasons as had been given by the Leader of the Opposition. So long as the power was vested in the Body, and that Body exercised the power, that was the real thing to them. But they submitted, with regard to a matter of this kind, it would be a public convenience if a better term than that of "Council" were used, and he, therefore, supported the Amendment.

MR. MACARTNEY (Antrim, S.) said, the hon. Member for Clare was an object deserving the sympathy of the House. He had now made repeated efforts to bring under the attention of the Government the sentimental aspirations of the Irish people. Yesterday the Prime Minister declined to make the smallest concession to the hon. Member or his supporters in Ireland. That day the hon. Member had returned to the charge, and had minimised still more his request. There was a difference between the hon. Member defying the Prime Minister in the wilds of County Clare and the hon. Member when he came to that House and, with bated breath—

MR. W. REDMOND rose to a point of Order. He asked leave to make a personal explanation. The hon. Member had been kind enough to say he (Mr. Redmond) said things in his constituency he was not prepared to say in that House. He could tell the hon. Member that he had not one face for the country and another for that House. If the hon. Gentleman desired to draw a comparison between his speeches in that House and in the country he would ask the hon. Member, Had he come down armed with quotations to support his contention?

MR. MACARTNEY was certainly not armed with quotations. If he were to bring all the quotations that would support his statement he thought he should alarm the House, and be guilty of what hon. Gentlemen opposite would consider obstruction of the Government in their endeavours to carry on the administration of the country. But the manner in which the hon. Gentleman put the views of his Party in Ireland differed very considerably from his manner in that House, and as that Amendment had been divided into two parts for the convenience of Debate, he did not wish

to give the hon. Member any advice; but he believed he would be more likely to obtain his ends if he put his views with greater force to the Government and pressed them on the Prime Minister in a little more insistent manner. The hon. Member evidently foresaw his Amendment would not be accepted, and he fell back on an article written by the hon. Member for Longford, in which that hon. Member said that he wished this and he wished that about the Legislative Council. The hon. Member for Clare had been long enough in the House to know that when an hon. Member only wished this or that he was very little likely to attain his end. It would be more to the purpose if the hon. Member for Longford had asserted his contention by backing up in the Division Lobby of that House his desire to see the future Legislature of Ireland ornamented with the name he thought consonant to its dignity and duties. The Government had declined to accept the hon. Member's Amendment, and he thought this was a very significant illustration of the amount of confidence which they could place in the assurances which were given, or, at all events, allowed to be understood, with regard to the intentions of the Government, at a future stage of this Bill, in the composition of the Second Chamber. Yesterday they were told all they were discussing was the principle of a Second Chamber, and that with regard to its component elements, and whether it might or might not be strengthened, the Government had an open mind. But now they found upon the first instance upon which the Government had an opportunity of showing whether they intended to reserve an open mind on the question of the Second Chamber they resolutely adhered to even the most stringent verbal machinery of the Bill. If the Government desired the House to believe they had the slightest intention of making any alteration whatever in the power or authority of the Second Chamber they had an opportunity, on the Amendment now before them, of giving some substantial guarantee for this assurance. The Government had declined to accept the name which carried with it certainly a far greater popular view of Legislative and Executive authority; therefore, he could not for one moment believe, when

they hereafter had to discuss the component elements of the Second Chamber or the duty and authority with which it might be charged, that the Government had the slightest intention of departing from the scheme sketched out in this Bill. For the purpose of testing the sincerity of the declarations the Government had made he intended to vote with the Leader of the Opposition.

MR. HENEAGE (Great Grimsby) considered it was extremely inconvenient that although the Government must have known from the question he had put that the Leader of the Opposition was going to support the first part of this Amendment, and that the Amendment had been divided into two portions, the Chief Secretary should get up after the hon. Member for Clare, and at once put down a *non possumus* to this Amendment. It was almost like beating the air now for anyone to discuss it. There was no reason why, because the Chief Secretary had treated the House in what he thought was rather a discourteous manner, they should be prevented discussing the Amendment at all. He, for one, favoured the first part of it. He voted against the Legislative Council the previous day, because he thought it was a sham, a delusion, and a snare. But the Chancellor of the Duchy spoke later in the afternoon, and gave them to understand he had a very high opinion of what this Second Chamber was going to be. The right hon. Gentleman told them he believed it would be their duty to differ from the First Chamber, and to give time for reconsideration, and he appealed to the House to allow the Second Chamber to be constituted, and then they might consider whether they could not make it a real element in the constitution of the Irish Parliament, or whatever it was to be called. That being so, he thought it only natural they should give it a name, and something rather different to the Council of an Agricultural Society, or a Borough Council, or any other Council. He, for one, in order to test the sincerity of the Government, would certainly vote for the Amendment as it now stood; and he hoped in future, when hon. Members desired to give their opinions in favour of an Amendment, they might be snuffed out all at once by a Minister getting up.

\*DR. KENNY (Dublin, College Green) wished, in the first place, to say that he and his hon. Friends did not desire such sinister help as had been held out to them from either Tory or Liberal Unionist. He congratulated the Leader of the Opposition and some of his hon. Friends on their entire change of attitude towards the Bill. Hitherto they had professed their intention of voting for any Amendment which would make the Bill worse, and voting against any Amendment which would better it. They had expressed their intention of doing all they could to reduce the Bill to a position of the utmost contempt. Their attitude had quite altered, and the right hon. Gentleman who led the Opposition had stated he would vote in favour of the word "Senate," because it would give increased dignity to the Body. That was an entirely new attitude which he welcomed very warmly, and he trusted it would be persevered in by the Tory Party and the Liberal Unionists throughout the discussions. With regard to the answer which had been made by the Chief Secretary, he did really expect to hear from that right hon. Gentleman some more solid argument against the Amendment than he put forward. The right hon. Gentleman seemed to rely on the fact that the word "Parliament" in some way or other excluded the idea of a Legislative Council and Assembly, and was inconsistent with them, whereas if they used the words "a Senate" and "a House of Commons" it must mean "Parliament." He could not see that there was the least connection between the two ideas. They might have a Legislative Council and Assembly and call them such, and yet they might be a Parliament, and they might also have a Senate and House of Commons, and they might not be a Parliament, so that he could not see any solidity whatever in the argument. But, as regarded the whole Amendment, the hon. Member for East Clare and his Colleagues did not attach the same amount of importance to that portion which suggested the word "Senate" as they did to the question of altering the other name to that of the "House of Commons." They advocated the adoption of the word "Senate" on the ground of the balance of convenience as well as an addition of dignity; but with regard to

the use of the term "House of Commons," they rested their demand on a totally different ground. They rested it not on the analogy of Canada, but on the unalterable feeling of nationality of the Irish people and on historical continuity. They had had a House of Commons and they desired again to have a House of Commons. The Chief Secretary and his Colleagues had not sufficiently yielded to their desires to grant them the name of "Parliament" the other night; but he hoped that, in the present case, they had not said their last word, but would, at least, accept that portion of the Amendment which dealt with the name of the House of Commons. The Chief Secretary and his Colleagues were making determined and able efforts to give the Irish people Home Rule, because it was the demand of the Irish people; and if this desire for the name of House of Commons were portion of their demand, why not be consistent, and let them so call it? He appreciated the desire of the Government to placate and do homage to the National sentiment, and they would give an extra proof of that desire by allowing the Irish people to use the name of the House of Commons.

COLONEL WARING: On a point of Order, I desire to know, Mr. Mellor, what words you are going to put?

THE CHAIRMAN: It is proposed to leave out the words "Legislative Council" in order to insert the word "Senate." The Question I have to put is that the words proposed to be left out—"Legislative Council"—stand part of the clause.

MR. GRIFFITH - BOSCAWEN (Kent, Tunbridge) said, the hon. Member who had just sat down (Dr. Kenny) had accused hon. Members of the Opposition of altering their attitude. He ventured to say that in supporting the adoption of the word "Senate" they were doing nothing of the kind. They adopted that course because they wanted an Upper Chamber which would be a really strong Upper Chamber, and which would resist the Lower Chamber where necessary. It was because they believed if the present Upper Chamber were called a Senate they could subsequently modify the provisions for its constitution and make it more likely to carry out the object they had in view that they

supported that part of the Amendment. He had put down an Amendment to the effect that this Upper Chamber should be called the House of Lords, and he should prefer that to Senate, because he believed that 60 Irish Representative Peers would be the only really efficient safeguard for the rights of the minority. Though, as he said, he preferred the House of Lords, he should not mind if the word was "Senate," because he thought they could subsequently so constitute the Senate that it should be, in fact, a House of Lords. Reference had been made to the Roman Senate, the very first from which the word was taken. That Senate was not an elected body, but it was in practice, and during a great part of the time in theory, an aristocratic body, and it was a strong body in the way of resisting the hasty popular will. He thought if they adopted the word "Senate" they might set up a strong Second Chamber, and with that view he supported the Amendment.

MR. JOHN REDMOND (Waterford) said, as the Chairman's ruling divided the Amendment into two parts, on which two separate votes would be taken, it simplified the course which he thought he and his hon. Friends ought to take. Undoubtedly there was a strong feeling that would justify them, in his opinion, in putting to the test of a Division that part of the Amendment as regarded the name of the House of Commons. But although on grounds of convenience urged by his hon. Friend the Member for the Harbour Division of Dublin there were reasons why "Senate" would be a preferable name to Legislative Council, still there was no such strong feeling on their part as to the word "Senate" as there was in reference to the words "House of Commons." He was bound to say, having heard the speech of the Leader of the Opposition and the grounds upon which he was going to bestow on them the inestimable favour of his support, that those grounds were of the most sinister character. The right hon. Gentleman himself, with unwonted candour, had admitted that his motive in putting in the word "Senate" was that he might make the Upper Chamber such a body as would be repugnant to their feelings. Bearing in mind the candid confession the right hon. Gentleman had

*Dr. Kenny*

made, for his part he would recommend that the first portion of the Amendment should not be pressed, but that it should be withdrawn, and that then, on the second part of the Amendment, he and his hon. Friends should go to a Division.

MR. W. REDMOND said, under the circumstances, he would ask leave to withdraw the portion of the Amendment with regard to the word "Senate." He did not regard the word "Senate" at all except as a matter of convenience; but on that portion of the Amendment which dealt with the name of the House of Commons he should divide the House.

MR. J. G. LAWSON (York, N.R., Thirsk): There is another Amendment down in the name of another hon. Member. If the hon. Member for Clare withdraws his Amendment, will it prejudice the other Amendment which is down?

THE CHAIRMAN: The Question I have to put is that "Legislative Council" stand part of the clause. Is it your pleasure that the Amendment be withdrawn? ["No, no!"]

Question put.

MR. BARTLEY (Islington, N.): I only wish to ask exactly where we are. As hon. Members behind have changed their front completely, we are really in a difficulty to know what we are going to vote for. As I understand, you are going to put the words "Legislative Council." Will that preclude us putting in the word "Senate" afterwards, because that is my point?

THE CHAIRMAN: That will be decided by the vote of the Committee.

MR. T. M. HEALY: I wish to ask are we here to finish anyone's education?

Amendment, by leave, withdrawn.

MR. W. REDMOND (Clare, E.) said, he begged to move, in Clause 1, page 1, line 13, the substitution of the words "House of Commons of Ireland" for the expression "Legislative Assembly" used in the clause under consideration. He was not aware of the intention to divide the Amendment; but he would not trouble the House with any remarks upon it.

Amendment proposed,

In page 1, line 13, to leave out the words "Legislative Assembly," in order to insert the words "House of Commons of Ireland."—(Mr. William Redmond.)

Question proposed, "That the words 'Legislative Assembly' stand part of the Clause."

MR. A. S. P. GRIFFITH-BOSCAWEN rose to move an Amendment to Clause 1, page 1, line 13, to leave out "the Legislative Council and the Legislative Assembly" and insert "the Irish House of Lords and the Irish House of Commons."

THE CHAIRMAN: Order! The Amendment of the hon. Member for East Clare is before the House.

\*MR. J. G. LAWSON (York, N.R., Thirsk) said, he did not agree that the Lower House in Ireland ought to be designated by the title of "House of Commons." There was a word in the Irish language for "a House of Commons." [*Cries of "Divide!" and "Hear, hear!" and interruption.*]

SIR J. LUBBOCK (London University) rose to a point of Order. He wished to explain that it was impossible for him and hon. Members near him to hear a word that was being said in consequence of the interruptions of hon. Members below the Gangway opposite.

THE CHAIRMAN: Order, order. I hope that hon. Members will assist me in keeping order.

MR. J. G. LAWSON said, he regretted that a reference to the Irish language should have caused so much disorder and noise.

THE CHAIRMAN: I hope the hon. Member will keep strictly to the Amendment.

\*MR. J. G. LAWSON said, that in a dictionary in the Library he had found the Irish word for "a House of Commons." That word was "Tyeay na nuaral." [*Loud laughter.*] As they had this distinctive word at their disposal, why should hon. Members from Ireland seek to create confusion in these realms by the use of the expression "House of Commons," which was the name already appropriated by the British Legislature? When Henry II. went to Ireland—[*cries of "Divide!" and interruption*]—he summoned an Upper House, which was called "a Council," and a Lower House, which was called "the Synod of Cashel." [*Laughter.*] That was, no doubt, a Clerical Assembly, and so would the Legislature which the Government proposed to

create be largely a Clerical Assembly. If the Nationalist Members were not content to apply to their House the Irish name which he had found in the dictionary, let them call it a Synod. He objected strongly to the proposal to call it a House of Commons.

Question put.

The Committee divided :—Ayes 482 ; Noes 34.—(Division List, No. 78.)

THE CHAIRMAN : Substantially the two Amendments which stand next on the Paper are covered by the Amendments already decided. The next Amendment is out of Order on Clause 1, and should be moved on Clause 6, and the next is covered by the decision of the Committee. The Question will, therefore, be that Clause 1 stand part of the Bill.

Question proposed, "That Clause 1 stand part of the Bill."

\*MR. BARTLEY said, they had now arrived at an important point—namely, the question of affirming the 1st clause of the Bill. No one, he thought, could say it was an unreasonable thing that they should discuss the clause as a clause, seeing that it had not been altered or amended in any way. The Debate had not been barren, inasmuch as they had settled distinctly, on the authority of the Government, that there was to be no Parliament and no House of Commons in Ireland. That was a point which they should press very strongly—that the results of the discussions on the various Amendments had been to show clearly that the Government meant that there should never be a Parliament or a House of Commons in Ireland. If they could amend the Bill as it went on so as to prevent the Irish Legislature from altering its own Constitution, they might congratulate themselves that whatever this new Body would be, it would not be in any sense a Parliament, or in any sense a House of Commons. He was in favour of making the Body a sort of larger County Council ; but the Amendment he had on the Paper to effect that object would have to be moved on Clause 6. The Body which would be created under the Bill would neither be a County Council nor a Vestry, nor a Local Body of any sort. It was a sort of hybrid In-

stitution which was to please everybody, but which would ultimately please nobody. The Prime Minister had stated most emphatically that the new Legislature was to be subordinate to the Imperial Parliament. They desired to press that fairly and fully, and he hoped the Irish Members would take the opportunity of informing their constituents of the fact that the Irish Legislature was to be a subordinate Body. If they did that, probably the satisfaction of the people of Ireland with the measure would grow. The clause, however, said—

"On and after the appointed day there shall be in Ireland a Legislature consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly."

Well, there could be no doubt that by affirming that principle they assented to the establishment in Ireland of a sort of rival of the House of Commons. True, it was said that it was not to be a Parliament or a House of Commons, but the whole discussion which had taken place upon the clause, so far as the Irish Members were concerned, showed that they regarded this Legislature as a first beginning—an embryo Parliament which in time would rival this House. This was a question which did not concern Ireland solely or mainly. It concerned Great Britain quite as much as it concerned Ireland, because it would be used to break up the old Constitution, and set Ireland up in the position of an independent nation, and it would cause friction between the two countries. The clause, taken in conjunction with those that followed, was, as some of its supporters desired, the first step towards gradually destroying the great United Empire which had been founded by the patriotism and energy of our forefathers. He thought that even now they ought to pause before taking such a step. He thought that all who had the welfare of the country at heart should protest, if only in a few words, against this clause.

Amendment proposed, in page 1, to leave out Clause 1.—(Mr. Bartley.)

MR. HANBURY (Preston) was glad it was proposed to leave out this clause. Although they had been unable to alter it, they might succeed in striking it out

Mr. J. G. Lawson

altogether. At any rate, they had some reason to congratulate themselves upon the manner in which the Government had dealt with it. The Government had admitted that the question of the supremacy of Parliament had been made clear, and surely the 1st clause was that in which it should have been dealt with. But, in accordance with their whole policy of secrecy, Ministers had, while admitting that the subject ought to be dealt with, postponed it to another period. Again, if there was one point on which they ought to have had the opinion of the Law Officers of the Crown it was in reference to the clause under discussion. The Government had not the advice in that House of the Irish Law Officers; the Nationalists would not give the Government a seat for an Irish Law Officer; but there was a distinguished jurist on the Treasury Bench, and the Committee were entitled to know his opinion on this matter. The Committee were entitled by every right to take the opinion of the Solicitor General on the clause, distinguished purists in the House having expressed opinions against it. What was the good of having Law Officers if, when their opinion was asked by laymen on what was essentially a legal matter, the House got no guidance whatever? Turning from the Government and the Solicitor General and coming to the Irish Members, on a matter so vital to Ireland they had been met with a conspiracy of silence. O'Connell, the greatest Irish Leader of this century, always denied, when working for the Repeal of the Union, the supremacy of Parliament. Had the Irish Members fallen so far below his standard that the Committee had not a single word from them on this subject? It was all very well to speak of promises, but he fancied that the Irish people had not very much changed since the days of O'Connell. Supremacy was the question involved in the clause, and he asked why it was that the Irish Members, backed by the Government and their Law Officers, had maintained a conspiracy of silence? There had been a conspiracy of silence by all Parties forming the Government majority. There was another Party in the House which was led by the hon. Member for Northampton. It was a small, dwindling Party, and he was not sure if it was not

represented only by the hon. Member for Northampton himself. The hon. Member had voted against his own Amendment. [*Laughter and "No!"*] Well, he said he would. He (Mr. Hanbury) did not know whether the hon. Member kept his word or not. When the three sections of the Government took this line in reference to this clause, the Opposition might well think that, though they had not altered a word, they had scored a success in reducing the thing to a farce. He would ask if the Irish Legislature was to be in any way on the Colonial model, who was to represent Ireland in the House and answer questions with regard to that country? He would also ask that the Prime Minister should clear up the ambiguity with regard to the operation of Clause 33 in reference to laws expressly extended to Ireland. What did "extended" mean? Did it mean that the laws so extended were not for Ireland only, but were passed for England, Scotland, and Wales as well? He hoped they would have an expression of opinion and a definite reply on these points from the Solicitor General.

Mr. J. CHAMBERLAIN (Birmingham, W.): I am not quite certain whether the Committee or all the Members of the Committee entirely appreciate the extreme importance of the Motion now before the House. This is not like a question in an ordinary Committee. We are dealing with the first enacted clause of the Bill, and if we pass that clause we have then accepted the principle that there shall be in Ireland a separate Legislature. It is, to all intents and purposes, a Second Reading discussion. It will, therefore, be in Order in this discussion to bring forward any statement, argument, or fact that would have been germane to a Second Reading discussion. Of course, I shall endeavour to avoid anything like a repetition of arguments that have been used before—and which have been answered. But we have a right to recall to the mind of the Government that portion of our argument to which at present they have not given the slightest consideration. Our position is rather a curious one. We were told on the Second Reading that we were premature in many of our criticisms on the Bill—that they might

more properly be directed to the clauses of the Bill, and that when we came to the clauses we should find that the Government, especially with regard to certain important matters, would have an open mind and give the fullest consideration to our arguments. What has been our experience on the 1st clause? Have we had full consideration of the arguments which we have produced? ["No!"] Have we found the Government with an open mind? Have we found the Government prepared to accept any, even the slightest, verbal Amendment to the Bill? We have had very little debate on the part either of the Members of the Government or their supporters. That is a point to which I direct special attention. We had a right to expect when in Committee that we should be fairly met, and that our arguments would be met by corresponding arguments; but it is a fact that beyond practically official, and very often perfunctory, replies, there has been nothing that we can call a discussion at all. All the discussion has been almost altogether on one side. Not only has there been very little debate, but there have been no Amendments put down by the supporters of the Government. Yes, there have been two or three. One was by the hon. Member for Northampton, and he showed the desire he had of amending the Bill by speaking against his own Amendment. Another was put down by the hon. Member for Carnarvonshire. It was discussed to-day; and when the House was about to vote on it, unless I am mistaken, the hon. Member walked out of the House to avoid voting for his own Amendment. I do not call these serious Amendments. The hon. Member for Northampton is a humorous person, and he may have thought it a joke to put down an Amendment and vote against it, but my hon. Friend the Member for Carnarvonshire—

MR. RATHBONE rose, and addressed some observations to Mr. Chamberlain.

MR. J. CHAMBERLAIN: I was going to say that my hon. Friend was not a jocosé person, but after what he has just said I can hardly say that. What is it, by his own confession, that he has done? He has put down an Amendment on the 1st clause, and he proposes

to vote upon it on the 6th clause. If the 6th clause was the right place to vote for his Amendment, why on earth did he put it down on the 1st clause? What I was going to say was that such Amendments as have been put down on the Government side of the House are *pour rire* and not serious Amendments. Here is a great majority of over 350 Members, and they have not put down a single Amendment on the Bill. Now, why is that? It must be for one of two reasons. Either because they think this Bill is perfect—perfect in every line, in every clause, in every word; for not even to a word have they ventured to put down an Amendment. It must either be that, or else the only other conclusion we can arrive at is that, in spite of all their statements in the country, they have felt that it was more than their political lives were worth to put down Amendments, and therefore they have come here prepared to swallow anything the Government put before them as a sort of a jubilee testimonial to my right hon. Friend. I leave them to judge between one or other of those alternatives. There is no other. Either the Bill is, in their opinion, perfect, or—

MR. T. M. HEALY: The "Bill"? It is a clause under discussion. [*Cries of "Order!"*]

MR. J. CHAMBERLAIN: I think the hon. Member for North Louth is under a misapprehension. This is the Committee of the House of Commons, not a meeting of the shareholders of *The Freeman's Journal*.

MR. T. M. HEALY rose—[*Cries of "Order!"*]

THE CHAIRMAN: Do I understand the hon. and learned Member to rise to Order?

MR. T. M. HEALY: Yes, Sir. I wish to ask whether it is in Order on a clause to debate the Bill at large?

THE CHAIRMAN: The clause is an extremely important one, and I cannot say that the right hon. Gentleman is out of Order.

MR. J. CHAMBERLAIN: I was saying, Sir, that there are only two alternatives open to hon. Members who support the Government. Either they believe the Bill to be perfect, or else they, for other reasons best known to themselves, refuse to give effect to any attempt

*Mr. J. Chamberlain*

to revise the Bill. In either case, we have to bear in mind that in future we are to have no assistance from them in amending the Bill, and that our Amendments are entirely and absolutely at the mercy of the right hon. Gentlemen who sit on the Front Bench. If they say "No" to them, no matter how reasonable they are, and how entirely hon. Members behind the Government may agree with us, we know that in future they will vote with the Government against us. In spite of these tactics, we have succeeded in eliciting some information from the Government in the course of this Debate; and I would go further and say that their silence has been even more instructive to us than what they have said. In the first place, there are certain things about which we now know, owing to statements made by the Government; but there are still, unfortunately, some other important points in the Bill about which we know nothing as to the intentions of the Government. I will take, first, the points upon which we know nothing, and upon which they have maintained practically an entire silence. We are to create a Legislature for Ireland. When we were discussing this question on the Second Reading the question of Ulster was raised. We said that, upon the principle laid down by the Government, the principle that any part of a nation, desiring by a great majority of its Representatives to have a certain form of Government, was entitled to have a subordinate Legislature—we said that that principle, if it governed Ireland as regards the rest of the United Kingdom, governed the case of Ulster with reference to the rest of Ireland. We were told, in the first place, that the question of Ulster deserved very little consideration.

MR. CRILLY (Mayo, N.): I rise to Order, Sir. [*Cries of "Order!"*] I wish to ask, can the right hon. Gentleman discuss on this 1st clause—

"On and after the appointed day there shall be in Ireland a Legislature consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly"

—can the right hon. Gentleman deal with the whole subject-matter of the Bill?

MR. J. CHAMBERLAIN: I am arguing against the clause.

MR. CRILLY [*Cries of "Order!"*]: I am asking for your ruling, Sir.

THE CHAIRMAN: I understand that the hon. Member asks me a question with regard to this clause. The whole clause is open to discussion; but, of course, it is not open to the right hon. Gentleman to discuss any other clause in detail.

MR. J. CHAMBERLAIN rose.

MR. T. HARRINGTON [*Cries of "Order!"*] also rose.

THE CHAIRMAN called upon Mr. J. Chamberlain.

MR. T. HARRINGTON: I rise to a point of Order.

THE CHAIRMAN: At the time the hon. Member rose to Order the right hon. Gentleman the Member for West Birmingham was speaking to Order, and I did not hear what he said.

MR. J. CHAMBERLAIN: I submit, Sir, on the point of Order, that this is a clause for establishing a Legislature for the whole of Ireland. I am opposing the clause, and I am going to show why and in what way it may be desirable to cut out a portion of Ireland from the operation of the clause. I oppose the clause, among other reasons, because it applies to the whole of Ireland.

MR. T. HARRINGTON [*Cries of "Order!" and interruption*]: I wish to point out, Sir, on the point of Order, that the right hon. Gentleman's speech up to the present has been a complaint that Amendments have not been put upon the Paper. [*"Order, order!"*] In connection with that, I draw your attention to the fact that the right hon. Gentleman has declined to avail himself of his right to put a single Amendment down.

THE CHAIRMAN: I have been listening to what the right hon. Gentleman has said, and up to the present moment he certainly has not been out of Order.

MR. J. CHAMBERLAIN: It certainly is a strange thing, Sir, that hon. Gentlemen opposite who cannot speak in this House are allowed to interrupt. Their object evidently is—they can have no other purpose than—to break down the speeches of their opponents. One result of these disorderly interruptions will be, of course, to prolong the Debate. I was saying that this clause provides a Legislature for the whole of Ireland, but I was



going on to say that when we discussed the propriety of excluding Ulster, although in the first instance the Representatives of the Government—particularly the Chancellor of the Duchy of Lancaster (Mr. Bryce)—spoke contemptuously of the Representatives of Ulster, at a later period of the Debate the Chief Secretary spoke much more seriously of their claims to consideration. He spoke of the great demonstration in Belfast and of the gravity of the situation. But what I complain of is that, having admitted the gravity of the situation, which every man of common sense must see is sufficiently serious, without embittering it with such observations as were made earlier in the Debate, the Chief Secretary offers no solution of it on behalf of the Government. He merely repeated one of those appeals made so frequently to hon. Members from Ulster to accept the Bill and to join with the rest of Ireland in making the new Legislature a success. I am not going to say whether Ulstermen are right or wrong; but we all know—the Chief Secretary knows—that they refused this appeal and they are going to be converted. Whether you think it right or wrong, the people of Ulster, and of North-East Ulster in particular, will not have this Home Rule Bill. It is not safe, it is not statesmanlike for the Government to admit the gravity of the issue; and knowing, as they must know, that, they cannot overcome the difficulty by a mere appeal, not to put before the House their own proposal for dealing with the difficulty. Because I rather judge they have a proposal. My right hon. Friend the First Lord of the Treasury, in the previous discussion, spoke of his willingness to consider a scheme for removing a portion of Ireland from the scheme of this Bill. I say that my right hon. Friend had expressed his willingness to give consideration to any practical scheme for shielding Ulster from his Bill which might be proposed very good. But that is just my complaint. I do not think it is fair of the Government to throw upon us the onus of suggesting a scheme. It is they who have made the difficulty by bringing forward this Bill, and it is for them to show how that difficulty is to be removed. Do they know how it can be removed? Have they a clause which in their own minds is a practical one for

removing the difficulty, or do they think it is a difficulty irremovable and impossible to be dealt with? If they have a proposal, they ought to put it on the Table and say how they propose to deal separately with Ulster or any portion of Ulster; but if they believe it passes the wit of man to devise any arrangement by which Ulster shall be satisfied, then I ask you, Sir, to take note that when they are passing this clause, by the confession of the Government themselves, we are face to face with a difficulty they are altogether unable to surmount. I think that the reason that has been given hitherto by the Government for not proposing such a clause has been that they had no ground to believe that Ulster would accept it. I admit that they have no ground to believe that the Representatives of Ulster will accept any clause they propose. I think myself that the Representatives of Ulster are making a mistake. I think they are bound in consistency with what we have all said on their behalf, and with what they have themselves said, to accept any diminution of the evil of this Bill; and if a certain portion of Ireland could be spared the curse, I think they ought to vote for it. I know why they do not accept it. It is from a feeling of chivalry—from the belief that they are bound to stand by the scattered minority in other parts of Ireland. But I think that while they are bound to stand by that minority, they would be better able to defend it if this should become law, outside the proposed new Parliament under a Government of their own, than they ever will be if they only form a minority in the Home Rule Parliament. Therefore, I think the Ulster Members have been wrong hitherto in rejecting an arrangement for an Amendment to exclude Ulster from the operation of the Bill. But, even if they maintain that view, I still assert that it is the duty of the Government to make this proposal. They, at all events, ought to make a clean breast in the matter, and to let us see what is in their minds with regard to it. I pass on to another point on which we still feel in doubt, as to the intentions of the Government—namely, the question of the retention of the Irish Members in this Parliament.

MR. T. M. HEALY: Question!

MR. J. CHAMBERLAIN: There are too many Chairmen of Committees in

*Mr. J. Chamberlain*

this House. When I tried to get the assent of the Government to discuss this very important question at the outset of the Bill, my right hon. Friend declined, and declared that any attempt to raise a discussion at that period was premature—that is to say, before dealing with the question of the Irish Legislature it was premature to raise the question of the retention of the Irish Members, although the question of supremacy almost entirely depends upon how that matter is to be dealt with. I have no doubt that when we come to the question of the retention of the Irish Members we shall be told that we cannot discuss the question of supremacy, and that the question of supremacy will be excluded on the question of the retention of the Irish Members. The object of the Government is to confine us on every clause to what is within the clause itself without dealing in the slightest degree with the other clauses that bear upon it. [*Cheers.*] Yes, and here are people who think that reasonable. This is the Gladstonian view of the discussion upon the Bill. You are to discuss each clause and each Amendment separately, without the slightest regard to its relation to the other parts of the Bill. I say that this question of the retention of the Irish Members is of the utmost importance, and has a close relation with the subject under discussion. Upon this matter we have no definite declaration; but we are told that we can propose a clause. What we want to know is, whether they will adhere to the clause? The right hon. Gentleman rather chaffed me, because he said I had asked him to say that he would adhere to the essentials of the clause, and that I was to be his guide to say what were the essentials of the clause. The essence of the clause is that Irish Members are to be retained for Imperial subjects and not for British subjects. That is all. I am not asking as to the method by which that is to be accomplished, or as to the details. What I asked before, and what I ask again, is this, Does the right hon. Gentleman adhere to the principles he has himself laid down in the most definite language in his speeches in the country, that you will not have the Irish Members, with a Parliament of their own, coming here to discuss British affairs? I cannot understand why there

should be any secrecy upon this matter with regard to the intentions of the Government. I do not suppose, and I never have supposed, that they were going to alter their plan. I have seen it stated in some papers—and some of them Gladstonian papers—that they were going to alter their plan; but as they cannot do so without a direct breach of faith, I do not believe they are going to alter it. But then, why do they not say so? If they would say so at this stage of the proceedings, they would considerably shorten the Debate. They would have avoided the earlier Debate on the Motion to postpone the clauses, and they would have avoided the allusions I am now making. This is not all. Here is another question—and I am dealing only with vital questions—of the utmost importance on which we are being kept in the dark. I refer to the financial arrangements under this Bill. We are to create a Legislature in Ireland. One of the cardinal points in reference to the creation of a separate Legislature was stated in 1886 by the right hon. Gentleman the Prime Minister (Mr. W. E. Gladstone) to be that there should be a fair financial arrangement between the two countries. Now we are told that the Financial Clauses are to be postponed to the end of the Bill—that is to say, that we are to be committed to every part of the Bill, to the full and complete scheme, and it is not until the majority have been committed to that that we are to be told what the cost is to be. A very important question arises out of this. I assert deliberately that the financial scheme of the Government, as proposed in the Bill, has utterly broken down—I am not talking now of differences of opinion, but of facts—broken down because, as the right hon. Gentleman himself admits, of the inaccuracy of the estimates upon which the scheme has been based. I have been told a story about this. I do not know whether it is accurate in all its details, but it is very amusing and very characteristic. I am told that some years ago the Treasury of this country wanted for some purpose of statistics, or something of the kind, to ascertain the amount of Irish whisky that paid excise in Ireland, and that was consumed in England. They communicated with the officials in Ireland, and asked them in

future to distinguish in their Returns between the two. I do not know what the Irish officials did as to the Returns required, but I am reminded of what the noble Lord the Member for South Paddington (Lord R. Churchill) told us the other day of an Irishman who had said that we, a stupid people, were trying to govern a keen-witted people, and that that was where the difficulty arose. These keen-witted officials could not understand what the stupid Exchequer officials were doing; and instead of doing what the blundering English officials would probably have done, and making a very accurate and careful examination, they took a shot at it, and ever since these Returns have been made upon an estimate for which there is no justification in fact. At the present time, as the right hon. Gentleman told me in answer to a question, an inquiry is going on, and I am told that that inquiry has already shown that the figures are incorrect, and that the surplus for the Irish Legislature, which was estimated at £500,000, will be lessened by one-half, or, at all events, by by some very considerable amount. If that is the case—and my right hon. Friend told me that an error had been discovered—if that is the case, what becomes of this financial scheme? We are not to know what is the alternative scheme—for there must be an alternative scheme—until we come to the very end of the Bill, perhaps in the Dog Days and when we are all pretty well tired out. Then, and then only, shall we know what is the price England is to pay for Home Rule for Ireland. One thing we do know—namely, whatever arrangement will be made, the financial scheme will be extremely costly to this country. We know it is not the intention of the Government to ask for a fair contribution from Ireland according to her taxable capacity. England is to be asked to make a contribution of £500,000 from the beginning, possibly to be reduced later in aid of the Irish Constabulary. That we know, and I think it is a great pity we did not know it before the General Election. We are going to pay £500,000 a year towards the Irish Constabulary, but in my opinion, when we come to discuss the Financial Clauses, we shall find that the loss is much greater than that. We did not know that before the last General Election; we do know

*Mr. J. Chamberlain*

it before the next Election, and we shall take care that the electors know it also. Well, another question of very great importance has been raised in the Debate, as to which we cannot get any information from the Government. I asked my right hon. Friend once or twice for information in regard to the proposals which the Government would make in reference to obtaining what is called the war subsidy from Ireland. This is not a small matter; it is of the very essence of the Bill. Why do we oppose this Bill? We oppose it because we believe it is dishonourable in us to betray and desert our fellow-subjects in Ireland, and because we believe it would constitute a great danger to England; because we believe that in time of national danger, in time of war, and in time of stress, we could not rely on the resources of Ireland as we can under the existing system. I ask the right hon. Gentleman, What are the proposals of the Government? He has refused to put them on the Table at the present time. He says he will present them before the Financial Clauses come on for discussion—that is to say, some months hence. I could well conceive the case of an independent Member who might be prepared to vote for Home Rule under ordinary circumstances, but who, if he found that there were no means of obtaining from Ireland its fair contribution in case of war, would vote against the Bill altogether. Yet we have no information given to us. Why is the House not given any information? There must be a reason, and I think it is pretty evident. It is because hon. Members opposite have said distinctly that they object to the Financial Clauses as they stand, and that they will object to any subsidy in time of war. My right hon. Friend knows that if he put down a clause giving us the same powers as regards subsidy as we have now in time of war, they would not give the same friendly assistance to the Government as they are now giving. I have referred to these four important points on which we are still kept in the dark. I want now to point out to the House one or two things on which some light has been thrown. In the first place, we have discovered that the safeguards in the Bill are absolutely

illusory. We have discovered that they are accepted by the Irish Members because they know they are illusory. The Government are perfectly consistent. They think that any safeguard is unnecessary. We know they have only put them in to satisfy the prejudices of the British public, and they hardly take the pains to treat them. Look at this question of a Second Chamber. We were told yesterday—and it was a very suggestive statement of the Government, bearing in mind that the sole thing we were discussing was the principle of a Second Chamber—that the supporters of the Government who voted with the Government voted for the principle. When hereafter, at the beginning of next year, they are trying to get up an agitation about the House of Lords, we shall certainly remind them that they have done their very best to set up a shoddy House of Lords in Ireland. We did not treat it as a question of principle; we treated it as a question of the practical application of a principle, and we said the Second Chamber proposed would be absolutely useless as a safeguard to the Irish people. Again we have the usual tactics of the Government. My right hon. Friend says he attaches great importance to a Second Chamber, but the details will be open to discussion. He wants to make it a real and effective Body. It has been proved beyond a shadow of doubt that it will not be a really effective Body, but that it will be practically elected by the same interests as the First Chamber. That having been proved, why does not my right hon. Friend tell us what he is prepared to substitute for his Second Chamber, so that it may become an effective Chamber and may establish what my right hon. Friend the Member for Bodmin (Mr. Courtney) called the principle of dubitancy in the discussion of political questions by bringing about delay and hesitation? My right hon. Friend stopped short just where his communications would have been most interesting. He is willing to make it an effective Body, but he absolutely declines to tell us how he will do so. Then I come to the most important of all the points raised—the question of the supremacy of the Imperial Parliament. My right hon. Friend the Member for Bodmin, in a speech which was so clear, so excellent, so moderate, and

so unanswerable that it could be answered only by the Closure, pointed out that this was a really serious and vital issue; that it was a question whether the supremacy was to be vital or sterilised, whether it was to be active or dormant. We have from the Government assurances upon this point which, so far as they relate to their intentions, are perfectly satisfactory to me. They have said in terms which are as clear as, I believe, they can make them that they intend the supremacy to be a real and active supremacy. It is to be a supremacy over all persons and all matters. It is to be a supremacy which my right hon. Friend the Prime Minister once said he hoped the House of Commons would not exercise unjustly or unwisely, and which he could not doubt was sufficient for any purpose whatever. That fully and clearly expresses the mind of the Government and their intentions in proposing this Bill. I have no doubt it expresses with equal fulness the intentions of hon. Members behind them. Does it express with equal fulness the opinions of hon. Members opposite? We have to get to the bottom of that. [*Interruption.*]

MR. MAC NEILL (Donegal, S.): You are not dumb.

LORD R. CHURCHILL (Paddington, S.): I move that those words be taken down, Sir. I heard the hon. Member for North Louth (Mr. T. M. Healy) say, "You are knocked up."

MR. T. M. HEALY (Louth, N.): The noble Lord is wholly mistaken. Another hon. Member said, "You are not dumb."

LORD R. CHURCHILL: I heard the observation.

MR. DIAMOND (Monaghan, N.): That is not true.

MR. T. G. BOWLES (Lynn Regis): I move that the words "that is not true" be taken down.

MR. HARRINGTON (Dublin, Harbour): The noble Lord will, perhaps, accept the statement of the hon. Member for South Belfast (Mr. Johnston) as to the words used.

MR. JOHNSTON (Belfast, S.): I should like to make an explanation. The right hon. Member for Birmingham said he should like to get an answer from the Irish Benches, and I said, "They are all dumb."

LORD R. CHURCHILL: I heard the hon. Member for North Louth say, "You are knocked up."

MR. MACARTNEY (Antrim, S.): I am bound to say that the noble Lord has, owing to the noise, misconceived the phrase used. I am bound to say, in justice to the hon. and learned Member for North Louth, that he made no such remark.

LORD R. CHURCHILL: Well, Sir, this is a question which ought to be decided with the Speaker in the Chair.

MR. ROSS (Londonderry): I must, in the interests of fair play, say that what has been stated by the hon. Member for South Antrim (Mr. Macartney) is quite correct. The hon. Member for North Louth did not speak at all. May I state how the mistake arose? The hon. Member for South Belfast (Mr. Johnston) said, "They are all dumb," and the hon. Member for South Donegal (Mr. Mac Neill) said, "You are not dumb, and it would be of great advantage if you were."

THE CHAIRMAN: Is it the pleasure of the Committee that the words be taken down? [*Cries of "No!"*] There was so much noise that I am bound to say that I heard nothing. It is clearly not the pleasure of the Committee that the words be taken down.

MR. T. M. HEALY and MR. J. CHAMBERLAIN rose together, and remained standing amid cries of "Order!"

THE CHAIRMAN: Unless the right hon. Gentleman the Member for West Birmingham gives way he is in possession.

MR. J. CHAMBERLAIN: I am sure I should not have taken the slightest exception to the words, which have now been accurately given. If the hon. Member (Mr. Mac Neill) thinks it would be a good thing for his Party that we should be dumb, I quite agree with him. I was going to say that the statement made by the Government and adopted by their supporters with regard to the supremacy is perfectly satisfactory; but what we want to know is whether it is accepted in the same sense by hon. Members opposite? It is with reference to that that their silence is so ominous. It is in connection with this that so much importance is to be attached to the past utterances of hon. Members. We do not know what they think now, because they

refuse to speak; but we do know what they have said with regard to this subject in the past, and I think myself bound to bring before the Committee what Members occupying conspicuous positions as Leaders of the Party opposite have said on this question of the supremacy. This Bill is in the nature of a treaty between the Members of the Government and the Members representing the Nationalist Party in Ireland. Is it not foolish to conclude a treaty when you have no knowledge whether the other Party accepts it in the same sense as yourself? I will quote first the language of Mr. Parnell, and I do so because, as far as I know, his language has never been repudiated by any Member of the Nationalist Party, to whatever section he belongs. Speaking at Ennis on the 1st February, 1891, Mr. Parnell said—

"We have shown the world that Ireland now, as always, stands fast to her claim to be sovereign within her own kingdom and country; that she refuses to admit any English veto; that she declines to obey the orders, so far as her own business is concerned, of any Imperial or English Minister, taskmaster, or dictator."

That is perfectly clear. Ireland is to be supreme so far as her own business is concerned, and there is to be no English veto. Under this Bill Ireland is not supreme so far as her own legislation is concerned—the English Parliament retains the right to legislate for Ireland. Therefore, Mr. Parnell's first condition is not fulfilled. There is an English veto in this Bill; there is a veto by the Crown on the advice of British Ministers. There are, therefore, two things in this Bill that Mr. Parnell declared for himself and for the Irish people they would never accept. I ask hon. Gentlemen opposite, have they changed their minds? Do they accept them now? I know perfectly well why they are silent in this House except for noisy interruptions. They are silent because they dare not repeat in this House what they have said in the country outside. When some hon. Member referred to what had been said outside he was asked for proofs. I have the proofs here. I have quoted Mr. Parnell. There is not a single Member on the Irish Benches opposite who has repudiated Mr. Parnell's statement. They are to be held bound by that statement,

and they are bound by their own statements. I admit there is another hypothesis—they may have changed their minds entirely since 1892; they may now be prepared to accept a subordinate Parliament with an English veto; but they have not said so. I say there is no folly more inconceivable than the folly of hon. Members who, with these facts before them—that in 1892 these gentlemen said they would never accept it, and that they remain silent and will not say they will accept it—still ask the House of Commons to believe they will do so. I now come to the hon. Member for Waterford (Mr. J. E. Redmond). I am sorry he is not in the House. I can give a great number of quotations from him all to the same effect. I have fortified myself in case of interruption, but it may be enough to quote one or two passages. In the Debate which took place in this House on the 15th of February, 1892, the hon. Member said—

“Mr. Parnell said—‘We want a Parliament with full powers to manage the affairs of Ireland, without trenching on any Imperial prerogative or injuring any Imperial or English interest; but the Parliament we must have must be supreme with regard to Irish questions.’ And Mr. Parnell said there should be no veto for the Irish Parliament except such a veto as was exercised in England. He wanted to know whether that was what the right hon. Member for Derby was speaking of when he talked of ‘Mr. Parnell’s Fenian Home Rule?’ There was not an Irish Representative or politician who would accept one jot less as a final or satisfactory settlement of the Home Rule Question than what was contained in that programme of Mr. Parnell’s.”

Can there be anything plainer than that? I suppose the hon. Member for Waterford is accepted as one of the Leaders of the Irish people? You are making a treaty with him which he tells you beforehand that he is not prepared to accept. The hon. Member made a very clever speech the other day, which was evidently intended to minimise the effect of his former declarations; but he in no way contradicted them. It is clear that the hon. Member is willing for his own purposes that this Bill should pass, not as a final settlement, but as an instalment of something better in the future; and he is willing to swallow it with all its defects. But he has never told us that he approves of it. I have one word more to say on the hon. Member, and I hope that some of his Colleagues will

tell him what I have said when he returns. The hon. Member said very recently—I think in the article he wrote—that either he or his friends would propose Amendments in the Bill to the effect that the Imperial Parliament should have no right to legislate on Irish affairs. Why has not the hon. Member done so? I should like to know whether the hon. Member is prepared to say in his place in this House that he has not done so because he has changed his mind, and because he is now willing that the Imperial Parliament shall have a right to interfere in Irish affairs. It is said that the Party led by the hon. Member is neglected by the Government; but, at all events, that cannot be said of the Party which is represented by the hon. Member for Longford (Mr. M’Carthy). What does the hon. Member for Longford say on this subject? Speaking on the 16th of December, 1892, the hon. Member said—

“Even accepting Sir Edward Reed’s letter, and its reference to Mr. Redmond’s demands, I see nothing in these demands that is extravagant or unreasonable, and therefore cannot conceive that Sir Edward has any real reason to make them the excuse for opposing the Bill.”

That is to say, the hon. Member for Longford adopted the language of the hon. Member for Waterford, and accepted the conclusions he laid down. Will the hon. Member for Longford tell us that he has changed his mind, and that he is prepared to accept the proposition that the Irish Parliament is to be a subordinate Parliament? Of course, if he would say that, that would conclude the argument. We should then have to admit that the treaty between the Government and the Nationalist Party was complete, and that both Parties had accepted its terms. If the hon. Member will not say that, it matters not whether he is silent or not, because we shall be able to put our own interpretation on his silence, and that will be quite sufficient for any purpose we may have in view. I go now to the declarations of the hon. Member for Cork City (Mr. W. O’Brien). The first will be found in *The Freeman’s Journal* of the 29th of January, 1892, as follows:—

“I take it that we are all united in demanding that the Irish Parliament, while it acts within its own province, shall be as free from Imperial meddling as the Parliaments of Australia or Canada.”

Does this Bill give to the Irish people an Australian or a Canadian Constitution? Under this Bill will the Irish Parliament be as free as the Parliaments of Australia and Canada? The hon. Member knows, not only that that is not so, but that Her Majesty's Government have declared that it shall not be so. I ask the hon. Member for Cork what is the precise reservation under which he is prepared to accept this Bill? Then there is another Leader of the Nationalist Party. One never knows who will be the ultimate Leader of the Party, and therefore I quote several. The hon. Member for East Mayo (Mr. Dillon), speaking at Dungannon on the 18th October, 1891, said—

"We stand here to-day representing to the fullest the policy which for 15 years we learned from the lips of Parnell himself. We stand here under the old banner of independent Irish nationality."

Speaking on the 6th of December, 1891, the hon. Member used these very remarkable words—

"Then we will try Gladstone. If his Bill gives over the government of this country into the hands of the Nationalists of this country—as I believe it will—our troubles and our struggles will be over. . . . If it does not, we shall go on until we have wrung from the English Parliament a measure of complete emancipation which will restore to our people the right that they lost 100 years ago to manage their own affairs."

["Hear, hear!"] Do hon. Members from Ireland accept that statement? Why do they not cheer again? I do not want hon. Members opposite to say hereafter that I have misunderstood or misrepresented them. I am perfectly satisfied to give up all the other quotations, and will rest myself upon this quotation from the hon. Member for East Mayo.

Mr. HARRINGTON: I rise to Order, Sir.

THE CHAIRMAN: The right hon. Gentleman the Member for West Birmingham is in possession of the Committee. Does the hon. Gentleman rise to Order?

Mr. HARRINGTON: I rise to ask another question in reference to your earlier ruling upon a question of Order. I understood you to rule, Sir—

THE CHAIRMAN: We cannot go back to that now.

Mr. J. CHAMBERLAIN: I do not wonder at the interruption, and the Com-

*Mr. J. Chamberlain*

mittee will see the object of it. The Committee will see to what the hon. Member is reduced when he rises to a point of Order upon a previous ruling of the Chairman.

Mr. HARRINGTON: Mr. Chairman—

THE CHAIRMAN: Order, order! I have already said that the right hon. Gentleman the Member for West Birmingham is in possession of the Committee.

Mr. HARRINGTON: An explanation, Sir.

THE CHAIRMAN: Does the hon. Member rise to make a personal explanation?

Mr. HARRINGTON: Yes, Sir. I wish to say that I did not rise to contest your ruling with reference to the point of Order to which I have referred. I was merely going to ask whether the right hon. Gentleman was not going into details which you had ruled out of Order?

THE CHAIRMAN: I do not think the right hon. Gentleman is out of Order.

Mr. HANBURY: I rise to a point of Order, Sir. I wish to ask whether it is your ruling that an hon. Member is in Order in rising to make a personal explanation in the middle of another Member's speech?

THE CHAIRMAN: Certainly not; but I supposed the personal explanation related to one of the passages of the speech that was quoted by the right hon. Gentleman. If that is not the case, I must call upon the right hon. Member for West Birmingham to proceed.

Mr. J. CHAMBERLAIN: I should wish to point out to the Committee what is the object of these continued interruptions by hon. Members opposite. This is not a small point we are discussing. I have come to a very critical point. I read a passage from the hon. Member for East Mayo, in which he said he and his hon. Friends would go on until they wrung from the English Parliament a measure which would restore to Ireland the Parliament of Grattan. [*Cries of "No!"*] Very well, then, I will read the whole of the quotation again—

"Then we will try Gladstone. If his Bill gives over the Government of this country into the hands of the Nationalists of this country—as I believe it will—our troubles and our struggles will be over. . . . If it does

not, we shall go on until we have wrung from the English Parliament a measure of complete emancipation which will restore to our people the right that they lost 100 years ago to manage their own affairs."

Well, the right they lost 100 years ago was Grattan's Parliament. When I read that before some Members cheered. I asked them whether they cheered it with full knowledge and accepted the view contained in it, and then they hesitated to cheer it again. It may be said that the hon. Member for South Longford (Mr. Blake) has declared that he is willing to accept the subordinate Parliament for Ireland that is proposed by this Bill. But the hon. Member for South Longford has not been long in this House or in this country, and, fortunately, perhaps, for himself, he has no past record in reference to this question, and he may come here and tell us with perfect consistency and sincerity that he accepts this Bill. But I want to know whether hon. Members opposite, who have said again and again in the country that they would not accept this Bill, will now tell us whether they will accept it or not? Hon. Members opposite are silent. They dare not say upon the floor of this House that they accept the definition of the supremacy of the Imperial Parliament contained in the words of the right hon. Gentleman the Prime Minister. I have said that our decision upon this clause is a Second Reading decision on the Bill. I think I have said enough to show that the Bill is founded on a sham supremacy, upon sham safeguards, and, above all, upon sham finance. It is upon this sham foundation that we are asked, in words that ought to be memorable, to disintegrate the great capital institutions of the country, and to make ourselves ridiculous in the eyes of all mankind.

MR. W. E. GLADSTONE: My right hon. Friend who has just sat down treated himself to inquiries into the objects of the interruptions to which he holds himself to be unduly exposed; and, for my part, I am curious to know the object of the speeches of my right hon. Friend, and the singular method which he adopts in those speeches. I think my right hon. Friend is cute enough to know that by far the best method that he has in his hands is time. He can only lead three Parties into the snare he lays for them. He will, notwithstanding the

verdict the country has pronounced, continue through their co-operation to carry on debate on this measure to such a length, and to expand its dimensions to such magnitude, that it shall pass beyond the capacity of human strength to deal with it during this Session; and my right hon. Friend will see that which evidently he greatly desires, the prolongation of this controversy and the withholding of all definite settlement from Ireland; and that that policy which has been so disastrous to us in the past shall be prolonged indefinitely in future. I tell him frankly that I think that is his object. The purpose and method he pursues are so extraordinary that by no other possible explanation can I bring it into rational consistency with the end he has in his mind, for which I must give him, and do fully give him, credit. What is my right hon. Friend's method? He complains that his arguments are not answered. From night to night, and from point to point, with infinite reiteration, he says that his arguments are not answered. And he has to-night said that he has had no answer on the subject of Ulster, no answer on the subject of finance, no answer on the subject of the retention of the Irish Members, no answer on the subject of war contribution, and no answer, as he finally winds up his speech by saying, from the Irish Nationalist Members on the subject of supremacy. In regard to the first four questions—Ulster, retention, finance, and war contribution—on every one of these, I say that full and explicit explanation has been given, relatively to the stage at which we have arrived. Among the astounding doctrines of Constitutional and Parliamentary practice in which my right hon. Friend abounds he sets up the doctrine that we should announce at this time not only what he wanted to propose to the House about the retention of Irish Members, not only what we should endeavour to induce the House to accept, but what we would abide by as a question of life and death. He has asked us to shut our minds against discussion in the House. He is anxious to force us to announce, whatever dispositions and determinations are displayed on the part of the Representatives of the people, that there is one rigid stereotyped method of proceeding to which we have tied ourselves, and from which we cannot



escape, and my right hon. Friend will then endeavour to set up every expedient against the plan to which we are invited to tie ourselves, whatever that plan be. It means we are to bind ourselves before discussion as to what shall be the result of the discussion on the retention of Irish Members. Is that a reasonable request? Is the retention of Irish Members an original plan of ours? We did not propose to retain Irish Members. We deferred to the great body of opinion in this country. We saw difficulties, and insurmountable difficulties, in the adjustment of details. My right hon. Friend says I give no explanation. I believe that on introducing this Bill I gave for three-quarters of an hour every explanation upon each and every one of those methods of proceeding, and I did not tie myself to one and will not. For that very reason, having deferred to public opinion, having limited ourselves to setting out the whole and full merits of the case without stint and without prejudice, we will defer to public opinion to the end, as to the choice of the way in which we are to give form to that which we believe public opinion has desired and which we believe it does desire, and with respect to which, using our best means of judgment, and asking others to use their best means of judgment, as to the particular form for giving effect to the principle, we shall in that way offer the best solution we can for the best settlement of the question. My right hon. Friend says there has been no statement on this subject, though he heard from the introducer of the Bill on behalf of the Government three-quarters of an hour of explanation. Yesterday or the day before I was making the best explanation my limited faculties will permit—I do not place myself in comparison with my right hon. Friend—and I had occasion in making this explanation to name my right hon. Friend and to refer to him; but, partially turning round, I saw my right hon. Friend was not in his place, and, not hearing the explanation, no doubt he is in a most convenient situation to come down to this House and demand another explanation. My right hon. Friend may, perhaps, recollect that I stated on the Second Reading that the objections to the Bill might be summed up under four heads—gratuitous assertion, persistent misrepresentation, gross exaggeration, and

arbitrary prophecy. He has so poor an opinion, I do not say of our principles or policy—he may think what he likes of those—but of our common sense as to suppose that the Government, the Liberal Party, and the Irish Nationalists, are going to be drawn by these taunts of his into playing his game of leading the proceedings on this Bill into indefinite elongation. Sir, we do not intend to take part in that game. He talks about finance. “A pretty business, indeed,” he says. “Finance is to be put off to the close of the Bill, so that the House is first to give a Legislature to Ireland and then be informed of the cost.” Does he think there is any force in that observation? Have we not informed him of the cost already?

MR. J. CHAMBERLAIN: No; the profits.

MR. W. E. GLADSTONE: I beg pardon—it is not wrong. There is no mistake. It is a mere question of manipulating the particular fund by which the £500,000 to be granted to Ireland is to be obtained. Supposing that the fund is £100,000 short, we are not thereby released from our pledge about the £500,000. We must find some other adjustment by means of which the balance can be restored. Therefore my right hon. Friend is grossly, entirely, and absolutely wrong, and has not a shadow of justification for it. We have stated the cost in the most explicit terms, and we adhere to them. Of course, if you want to object to a Bill of this kind, so large and involving such a multitude of important particulars—if you have the spirit of objection in you—there is no difficulty in finding materials. That is a very true explanation of the able speech of my right hon. Friend and of the speeches of other hon. Gentlemen when they produce a hash to-day of what was served up yesterday and will probably appear again in cold fragments on future occasions. My right hon. Friend tries to charm us all in this rather weary and unprofitable work; but, I say again, we do not mean to play his game. We have put finance at the end, and we have put the machinery of Irish Government in the beginning, and so he says—“This is a pretty way of proceeding. You want us to erect an Irish Government, and then to learn what it is to cost.”

Suppose we had finance at the beginning of the Bill and the Irish Government at the end, should we have escaped his criticism? No; for he would then say—"The proceeding is preposterous, for you are going to set up a financial plan for a purpose which the House has not yet sanctioned, and as to the manner of fulfilling which we know nothing whatever." That is the spirit of his objections. Suppose we had proposed one Legislative Chamber instead of two, the ingenuity which contrived to cook up a sort of case for voting against the principle of a Second Chamber—an ingenuity evidently put in action by the hope of a brilliant division—but with a somewhat tragic result—would have been exercised with far more facility than against the actual proposal for two Chambers. I am sorry to say it; but we have adopted the principle of doing everything we can to soften animosities and to narrow the ground of hostilities, and every attempt of that kind is treated as a fresh offence. My right hon. Friend says that we mean one thing and the Irish Members mean another by supremacy; that we were making a treaty and professing to agree upon it, whereas the terms were totally different on the one side and on the other. That, he says, is an unanswered argument. Sir, it is one which I endeavoured most specifically to answer on noticing the admirable speech of his youthful relative, on which I again congratulate him. I met it by stating that it was an exaggeration, if it had any basis in fact, but that it happened to be precisely the reverse of the fact. I stated that we had listened to the explanations of the Irish Members on the vital points of supremacy, finality, and interference by the British Parliament in case of necessity for the redress of gross injustice, that we were satisfied with them, and they formed the basis of our proposals. Our opponents say, "That is a very bad and insufficient answer," though I grappled fair and square with the proposition made, denied it *in toto*, and, I think, proved my denial. I made that denial upon the ground of the speeches of five leading Members of the Irish popular Party, four of them belonging to the Party bearing the name of Nationalist, and the fifth being the Leader of the small section who, for causes not quite intelligible to me and

which I will not attempt to describe, differentiate themselves in some degree or other from the mass of the National Party. I accept these expressions. My right hon. Friend has got a bundle of quotations—by which he says he always fortifies himself. Yes; he fortified himself against me the other day, and said that I had asserted that there could be no supremacy unless the Irish Members were in this House. I never said anything of the kind. "Oh," he said, "I have got the papers," and the Party opposite cheered at the expected triumph. He produced the papers, and what did he find? Simply that I had said I had a great respect for the feeling of those who entertained that opinion about the supremacy. Is his understanding so blunted that he never entertains a notion so absurd? Yes; I have respect for many feelings which form the ground of opinions of others, though I do not share those opinions. I am afraid my right hon. Friend differs from me fundamentally in that matter, and that he has no respect for any opinion by whomsoever expressed except his own. He came down with a heavy charge against the hon. Member for Waterford, whose speech on the Second Reading I heard with the utmost satisfaction, and he picked out a quotation from Mr. Parnell, on which I have to say that when Mr. Parnell uttered it he had ceased to be the Leader of the National Party.

MR. J. CHAMBERLAIN: It has been accepted since by both sections of the Party.

MR. W. E. GLADSTONE: But my right hon. Friend came down very heavily on the hon. Member for Waterford, and said—"Oh, I have shown that you have stated other opinions. You state now that you accept the Bill as a settlement, but you have expressed other opinions, and you have never retracted them." Will my right hon. Friend be willing to submit himself to the same test?

MR. J. CHAMBERLAIN: Perfectly willing.

MR. W. E. GLADSTONE: No; if the work of retraction is to begin, let him first begin. If we are to stand in a white sheet, my right hon. Friend will wear that ornamental garment the best. I listened to the speeches of the hon. Members for Waterford, for North-East

Cork, for Kerry, for North Longford, and South Longford, and their declarations were clear and unequivocal. I will not say by those declarations I hold them bound, because that would seem as if I entertained a suspicion which I do not entertain; but they hold themselves bound by those declarations. I accept them freely and frankly. I accept their Parliamentary declarations, and I accept Mr. Parnell's declarations of 1886 as solemn and binding and absolute, given in the name of the Irish people, as forming the ground for this House to adopt in the work of legislation. That is the ground on which we stand. I am going to give hon. Members from Ireland a bit of friendly advice. I advise them not to be drawn by my right hon. Friend—not to be drawn by these flattering, seductive, siren-like invitations—into what are sometimes called vain repetitions. As for my own part, if I were in the position of one of those gentlemen—if I had seen the wrongs and sufferings of Ireland in former times, if the iron had entered into my soul as it has entered into theirs—it is possible that I should not have been more temperate than some of them, under the circumstances, in the language I used. It is too much in the case of an oppressed country to exact strict measure of language from those who have suffered that oppression, and especially when it is borne in mind that in Ireland those who have been associated with the oppression claim for themselves an unbounded licence, and threaten prospectively and contingently resistance to the law. I dare say I shall be told that I might just as well have remained mute, and that I have answered nothing. I have tried to answer one or two of my right hon. Friend's points, and when we come to the proper time I will again answer them. But my right hon. Friend thinks our answers bad, and because he thinks them bad he describes them as null. That is not fair. He ought to have compassion upon our limited understanding. The answers we give are the best we can make. Of course, if we cannot satisfy his superior intellect and the superior intellect of the cream of all the classes which, we are told, has been generally, if not universally, drawn into what are called the Unionist ranks, that is our misfortune

*Mr. W. E. Gladstone*

not our fault. And with his triumphant notes my right hon. Friend ought to mix, for decency's sake, a few syllables of commiseration. However that may be, into the snare laid by my right hon. Friend—I can speak for myself and Colleagues—we will not be driven nor lured. We will be silent, or speak according to our own judgment, and not according to the judgment of my right hon. Friend, and in claiming that reasonable liberty and choice I believe we shall best perform our duty to the country.

\*SIR R. TEMPLE (Surrey, Kingston) said, he rose to speak upon the Amendment of his hon. Friend behind him, as he objected to Clause 1 *in toto*.

THE CHAIRMAN: There is no Amendment before the Committee. The Question is that Clause 1 stand part of the Bill.

\*SIR R. TEMPLE: Then I rise to speak to that; but I understood my hon. Friend moved the omission of the clause.

THE CHAIRMAN: I wish to explain. There cannot be an Amendment to the proposal that the clause stand part of the Bill.

\*SIR R. TEMPLE said, in that case he rose to speak against the clause, and, having the clause before his eyes, he would confine his remarks to the particular Question. The clause had been attacked by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) in a speech that was not only magnificent, but also trenchant and incisive. It was answered, or attempted to be answered, by the Prime Minister in a very spirited speech, emphasised with all that noble gesticulation of which he was so great a master, and at the end the right hon. Gentleman frankly remarked that those on that (the Opposition) side of the House would be saying that he had answered nothing. That was exactly what they did say—that the right hon. Gentleman never answered anything, as it appeared to them, that fell from the right hon. Gentleman the Leader of the Unionist Party in that House; and they could assure the Prime Minister and his Colleagues that that policy would not facilitate business; that they should thunder at his gate day after day and week after week until he did answer such arguments as those brought forward

by the right hon. Member for West Birmingham. A most remarkable, powerful, and, as they thought, an unanswerable speech was made by the right hon. Gentleman the Member for Bodmin (Mr. Courtney). The Solicitor General (Sir J. Rigby) rose to reply, but his mouth was shut by Closure moved by a right hon. Gentleman on his own side. The Solicitor General was invited, as one of the first legal authorities in this House and the country, to favour them with an opinion, and because he remained silent they should again and again insist on proper legal information being given on this subject. Perhaps he might revert to a remark that fell with great truth and justness from his hon. Friend behind him, who moved that this clause be rejected. His hon. Friend said this was an occasion on which every Englishman ought to record his protest. Well, he was an Englishman, representing an English constituency, and on their behalf he desired to set before the Committee and the country their most solemn and emphatic protest against this clause establishing an Irish Legislature. They would read of the passing of this clause through the Committee with the greatest alarm and apprehension. It was a clause that was abhorrent to their sentiment and contrary to their most cherished convictions; it was a clause which they would never tolerate, and which would be opposed by every means in their electoral power. He wished he could express adequately to the Committee the hatred, the disgust, and dread with which this clause would inspire the five thousand and some odd hundreds of British electors who sent him to the place where he was now standing. He could answer for his constituency, and he believed that all his Parliamentary comrades on that side of the House could answer for theirs. The Prime Minister declared that he accepted the explanations given of this clause by the Irish Nationalist Members who sat below the Gangway. It appeared to him that the Prime Minister must be thankful for very small mercies indeed if he was satisfied with those explanations the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) cited to them by quotation after quotation; how these very Members had

expressed, either through themselves or their Party, or their Leaders, sentiments exactly the opposite. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) brought forward statements of opinion made by Irish Members elsewhere that were unequivocal, most explicit, unlimited and unreserved. But the statements made in this House might be very pleasant to hear so far as they went, but they were not explicit as he thought; they were reserved—they were limited. He would not say they were equivocal, as that would not be polite; but they were susceptible, as he thought, of more meanings than one. They could not be blamed if they declined to accept statements made in that House of a limited character as compared to statements outside, which were most unmistakable, unquestionable, and unlimited, and this, he begged to tell the Government, was the reason for the doubt which they entertained as to the intentions and wishes of the Nationalist Members who sat below the Gangway. After the challenge which had been flung at them by the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain), he earnestly hoped, even at this the eleventh hour, they would rise and explain themselves. There was a very important phrase that fell from them—namely, that they accepted this settlement or compromise *pro tanto*, and he believed that phrase *pro tanto* was repeated by the Prime Minister. *Pro tanto*—what did that mean? He supposed it meant it was accepted for what it was worth; they took it as far as it went; but he was afraid, from what fell from them, they would accept it merely *pro tanto* and *pro tempore*—that was, only for a little while, in the hope that soon many opportunities might arise for altering that settlement in their own favour. There were mentioned in the clause a Legislative Council and a Legislative Assembly. He had known in other countries Legislative Assemblies and Councils that had been really what they were said to be—Councils for legislation only, without any executive power. But they could not regard this clause in that light; they must take it with its context, and that context showed that many things were to follow, and that it was to be accompanied by Executive power;

therefore, they were bound to regard that most essential contingency. This Executive combination, inevitable according to the Bill, the Executive and legislative power conferred by this clause, rendered this new Institution a large fact, and that character could only be mitigated by a clear enunciation of the supremacy of this Parliament, and it was because they had been unable to extract or wring from the Government any businesslike or satisfactory explanation of the supremacy of Parliament that they objected to the clause. The Committee would remember that night after night, and in Debate after Debate, they endeavoured to obtain some declaration of this kind—not in a shadowy Preamble, but in the Enacting Clause—but they had wholly failed to obtain that. The Prime Minister the other day alluded to this Legislative Assembly being really subordinate, and in support of that view he stated that Mr. Parnell had accepted that character of subordination for the Home Rule Parliament to be set up here. At the time he felt uncertain whether Mr. Parnell had ever said so in this House; and not having time to refer to *Hansard*, he ventured to ask the Government if they would indicate the passage where any such statement could be found in Mr. Parnell's speeches. He was bound to make the statement he did because any such idea was wholly foreign to what he knew to be Mr. Parnell's opinion. He had no particular insight into that gentleman's views, but he had heard every speech Mr. Parnell made in this House since 1886, and had read every important speech Mr. Parnell ever made outside. Well, he acknowledged that, with his usual courtesy, the Chief Secretary for Ireland (Mr. John Morley) at once referred him to a passage of the kind, and he was glad to take this opportunity of admitting that, in his speech on the Second Reading of the Home Rule Bill of 1886, Mr. Parnell did use expressions which seemed to admit and acknowledge the subordination of any Parliament that might be set up in Dublin. That being so, and the Prime Minister assenting to that, he wished to know why the Government resisted the attempts made on that side of the House to insert the word "subordinate" in the clause? If this subordination was to be a strong ground to

them for allowing this clause to pass, and if the authority of Mr. Parnell was to be quoted in that behalf, then it would have been much more straightforward and businesslike to admit the word into the Enacting Clause. But, no; as usual, things might be said outside or in speeches and be recorded in *Hansard* and the like; but when they came to business, and asked that words be inserted in a clause in such a manner that every one, lawyer or layman, could understand them, and the Courts would be able to act upon them, then the Government hesitated, and it was this hesitation that made him and his friends so determined in their opposition to the clause. Allusion had been made in the Prime Minister's speech to Grattan's Parliament. He observed that the right hon. Gentleman at first seemed to imagine he had not so alluded to it, but the right hon. Gentleman the Member for Birmingham (Mr. J. Chamberlain) clearly showed that Grattan's Parliament had been largely in the right hon. Gentleman's mind; and as an English Member he (Sir R. Temple) might be permitted to say the example of Grattan's Parliament was one of the reasons that weighed in their minds in inducing them to resist this clause, because they thought they had seen how dangerous Grattan's Parliament was to the political safety of the United Kingdom. Grattan's Parliament could not be trusted, and still less could this that they proposed to set up be trusted, and the things done in Grattan's Parliament showed what would be done in this new Legislative Assembly. Grattan's Parliament was set up at the moment of England's difficulty and danger; positively the very zero point of British history was the moment that Parliament was set up, and undoubtedly it would never have been allowed but for the unexampled difficulties this country was in at that moment. Grattan's Parliament ran its course for 18 or 19 years, and within that time—although it was a Parliament consisting mainly of landlords and Protestants, and noble families, of men devoted to that very supremacy they could not get into this Enacting Clause—that Parliament raised some very awkward questions with the Government in London regarding the British supremacy in the Empire. When Grattan's Parliament was ended in 1880

*Sir R. Temple*

they were then in the very thick of the great war with Napoleon, and the reason for the abolition of that Parliament was the imminent danger which threatened England from the condition of Ireland. They were involved in the great contest that followed the French Revolution, so that the end of Grattan's Parliament, which saw its birth in the midst of England's adversity, came also at the time of England's adversity, within one generation. All these examples of history made them dread the setting up of another Legislative Assembly, the rehabilitation, or the restoration, or whatever they liked to call it, of some Body in Dublin which should, in some degree, represent that Grattan's Parliament which Englishmen considered had so signally failed to satisfy those English interests they were bound to maintain in this House. As regarded Ulster, might he point out for the consideration of his English Parliamentary Colleagues that there was one argument in the case of Ulster which appeared to them to have never been answered and to be unanswerable. Whatever might be stated hereafter about Clause 9, whether they were to have the total absence of Irish Members, or the in-and-out clause, or the *omnes* and *omnia* regulation—something must happen. He called them the three horns of the dilemma. Generally speaking, there were only two horns to a dilemma, but this was a dilemma where they had three. Which-ever horn of the dilemma was selected, they contended that every Ulsterman, every elector and ratepayer of Belfast, was politically concerned, for he was entitled to say he had a right, an indefensible and inalienable right, by birth, as a British subject, to continue to be represented here, and to have the full power and liberty of a British citizen, and of those privileges he could not be deprived against his will. No answer had been attempted to this question which they, as Englishmen, considered essential to the Ulster case; and until they got some answer to that, or unless their fears were satisfied, the Government might depend on their offering the most strenuous and steadfast resistance they could not only to this clause, but to all the other clauses that might follow. With regard to the Second Chamber, the

Prime Minister just now taunted the Members of the great Conservative Party with inconsistency for having voted against the Second Chamber. The right hon. Gentleman considered that was inconsistent with their principles. Of course, they were as anxious as any body of politicians could be to have a Second Chamber drawn from elements different from those composing the Lower House; but they denied that this Legislative Council, composed as it was by this clause, would in any way satisfy those conditions. They affirmed and re-affirmed it was a sham council, which was worse than useless as a check, or as a protection, or as a safeguard, or in any way a bulwark to the supremacy. He entertained a strong objection to the sort of sham House of Lords that it was proposed to set up in Ireland under the guise of a Second Chamber. That it would be a sham House they could not deny. They regarded the proposal, from the point of view of affording protection to the minority, as worse than worthless. In his opinion, foreign examples which were quoted in this direction operated rather as a warning against imitating them than as an inducement to follow them. The right Gentleman the Member for West Birmingham (Mr. J. Chamberlain) had very properly pointed out that under the provisions of the Bill England would have to pay very heavily for the pleasure of giving Home Rule to Ireland. The expenditure would mean a vast amount to the British taxpayer. The answer which the right hon. Gentleman the Prime Minister had given to the objections of the Financial Clauses of the Bill appeared to him to be little short of being childish. It could not be said that the Financial Clauses were satisfactory. It was true that the right hon. Gentleman might attempt to whittle away the powers given to the Irish Legislature under the provisions of the Bill until he reduced that Legislature to the position of a County Council, but that was not the sort of Body which the Nationalist Members contemplated should be established in Dublin. London was ten times as rich as Ireland and just as populous; but London had to get on with a County Council. Ireland, however, did not want that. That was not the sort of Assembly Members from Ireland had in contemplation. There was something more. What they wanted

was real legislative authority, and more or less Executive power; and how were they to preserve the supremacy of the Imperial Parliament if they allowed the Executive in Ireland to be supreme? The Irish Assembly proposed by the Bill would be a source of danger to England in time of war, as it would refuse to bear its share in the joint burdens of the two countries when necessity demanded that they should join forces to meet the common enemy; while in time of peace it would repudiate all obligations that might have been entered into by the British taxpayer. Such a Legislature as that would weaken the influence, the prestige, and the authority of this country.

Mr. HENEAGE (Great Grimsby) said, he was going to deliver the first speech that he had deemed it right to deliver in the House on the question involved in the Bill. He did not count as addresses dealing with the point remarks made upon Amendments which might probably have nothing to do with the Bill. They were dealing now with a clause of the Bill, and he thought the discussion upon it would be one of great interest to the people of England. The speeches on the Second Reading of the Bill ranged over all the clauses of the Bill; but the clause now before them was one in which, in his opinion, the people of the country took more interest than they did in all the other clauses put together. They were told that the Assembly to be set up in Dublin was to be a subordinate Legislature. What had they got before them in this clause? They had at last got the full scope of the 1st clause of this Bill before them in all its iniquitous nakedness, and it showed that the Government Home Rule was nothing more nor less than the "Fenian Home Rule" of Mr. Parnell that had been denounced by the right hon. Gentleman the Chancellor of the Exchequer (Sir W. Harcourt), who, although he had recovered from the illness under which he was suffering when the Second Reading of the Bill was being debated, did not seem inclined to come forward and defend the policy of this clause now that he was in good health. The hon. and learned Gentleman the Solicitor General (Sir J. Rigby) appeared to prefer to listen to other people's speeches rather than give

the Committee the benefit of his own views with regard to this clause. The right hon. Gentleman the Prime Minister said that he had satisfactorily answered every objection that had been raised against the clause; but if his answers had satisfied the right hon. Gentleman himself, they had satisfied no one else. The right hon. Gentleman said that he did not feel himself bound by Clause 9, relating to the exclusion of the Irish Members, and, therefore, they were all in doubt at present as to what was to be the position of the present Parliament when this Bill was passed. The Irish Members objected to the Irish Parliament being described as subordinate to the Imperial Parliament. As long as the word "subordinate" was left out, it would be said that the new Legislature was a separate and independent Legislature. Who would sign a will or a document unless he knew that the words it contained would fully carry out what he intended? Although every English and Scotch Member on the Ministerial side of the House was pledged up to the hilt in favour of a subordinate Parliament for Ireland, they refused to allow to be placed in the Bill words which would make the Assembly in Dublin an Assembly purely for the management of Irish affairs. So that in setting up this mongrel Parliament they were acting in opposition to every pledge they had given to their constituents. The opponents of the measure had a right on the Second Reading of the clause to press this fact home on the constituencies. There was one advantage from the Debate on the previous day, and that was the speech of the Chancellor of the Duchy (Mr. J. Bryce), who told them that a Second Chamber was exceedingly useful for the purpose of checking hasty legislation and giving time for consideration. They would remember these words when the Chancellor of the Duchy had forgotten what he had said. The right hon. Gentleman said that the House of Lords would have forgotten its duty if it sent back this Bill to the constituencies. But if this new Second Chamber might check hasty legislation, surely the oldest Chamber in the world might check it too. The public had been told by Ministers what they intended by Home Rule. The Chancellor of the Exchequer said that

while it was the right of the Irish people to say what they demanded, it was equally the right of English Statesmen to consider what they could recommend the people of this country to accept. Was the Chancellor of the Exchequer prepared to recommend what he called "Fenian Home Rule" to the people of England? Was this House to be governed by Ministers who were themselves governed by the Irish vote? Would the Chancellor of the Duchy deny that the Irish vote was guided not by what was best for Great Britain, but by what was best for what Irish Members had in view? In 1886, within three or four months of the General Election, the President of the Local Government Board (Mr. H. H. Fowler)—a very important Member of the Government, because he was a representative Member, and spoke largely for the Nonconformist Bodies—said, in solemn tones at a Leeds meeting—he did not know its proper name, but he would call it a Schnadhorst Confederation—that the constituencies had spoken in no uncertain voice in favour of local self-government for Ireland, the unity of the Empire, and the supremacy of the Imperial Parliament. The President of the Local Government Board carefully avoided speaking on this Bill. Would the right hon. Gentleman now get up and say that this was a Bill to establish a local Parliament in Ireland, and to secure the unity of the Empire and the supremacy of the Imperial Parliament? But the right hon. Gentleman went afterwards to Leicester, and there, perhaps after a warning from Mr. Schnadhorst, said that they would have a more moderate Bill than the Bill of 1886. Was this a more moderate Bill? It was a worse Bill in every respect. He would say, therefore, that these gentlemen went about the country deceiving the people. It might be said that 1886 was ancient history. Then he would come to 1892. In that year the Home Secretary (Mr. Asquith) took a journey into Scotland in company with the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor), who was now in his place; and when that hon. Member stated that the Irish people demanded a Parliament which should deal with every subject

affecting Ireland without any control from the Imperial Parliament, the Home Secretary said that his view was

"that the Body to be established, which was to be called a Parliament, might deal with Irish questions, but that it was to be subject to the interference and control of the Imperial Parliament, which should have the same power to legislate upon Irish questions as it had at the present moment."

Would the right hon. Gentleman—if he spoke in the Debate—deny that he used those words? He (Mr. Heneage) believed that the people of England were being duped into having a worse Bill than that of 1886. The hon. Member for Waterford (Mr. J. E. Redmond) had laid down very clearly what the Chancellor of the Exchequer had called Fenian Home Rule, and what the hon. Member claimed to be Parnellite Home Rule. If hon. Members were to believe what gentlemen sitting on the Treasury Bench had by their ambiguous speeches tried to impress upon the House they disagreed from the hon. Member for Waterford on several points. The Member for the City of Cork (Mr. W. O'Brien), at one of his meetings, stated that it was in the power of the Irish Members to turn out the Ministry at any moment if they did not carry out their compact with them. But the hon. Member did not say what the compact was. He (Mr. Heneage) did not think many Members on the Ministerial Benches knew what it was.

MR. SNAPE (Lancashire, S.E.), Heywood), rising to Order, asked whether the right hon. Gentleman was not wandering from the clause?

THE CHAIRMAN: The right hon. Gentleman has been speaking to the clause.

MR. HENEAGE said, it must be a new Member who was interrupting him. He thought it would be very difficult to rule anybody out of Order so long as he was referring in any degree to the speech of the Prime Minister. If that speech had been made by one of the Unionist Members, not one Member of the Irish Party, but the whole phalanx of them would have risen to call him to Order. He did not believe that the Government had any mandate given them in favour of this clause at the last Elec-



tion. He challenged them on this point. Why did they not create a vacancy? It was well-known that there was at this moment a vacancy for a County Court Judge. Why did they not appoint one of their legal Members to the position? If they would appoint the hon. Member for the Brigg Division of Lincolnshire (Mr. Waddy) he would guarantee that the division should be contested. He desired to show that English votes and English opinion had not the slightest power, either in the Cabinet or in the House, at the present time. No statesman representing English opinions ever rose from the Treasury Bench. The Members of the Cabinet who represented the English view of Home Rule preserved an impenetrable silence. The Irish Secretary, of course, was more Irish than the Irish themselves. A Scotch Member occasionally got up to defend the Bill; but no English Member of the Government was ever allowed to speak. He would not further detain the Committee, although he thought that, as this was the first time he had spoken on the main question of this Bill or upon any other Bill respecting Home Rule in Ireland since he resigned office in 1886, he had not unduly occupied the time of the Committee.

\*MR. DARLING (Deptford) wished to give a few reasons why he thought an English Member must vote against the 1st clause. Even if it were conceded that some sort of Home Rule Bill should be passed, he could hardly imagine that the 1st clause could be accepted. English Members were, after all, entitled to some consideration in the House, because they expressed their opinions articulately, whilst the Irish Members did not. He could not imagine that any clause could be treated in a manner more hostile to the English Members than this clause had been by the Government. Various Amendments had been proposed respecting the supremacy of the Imperial Parliament; but the Government had sternly refused to insert in the clause any declaration that the Imperial Parliament was to be supreme. On the other hand, any kind of objection taken by the Irish Members to the use of such a word as "subordination" in regard to what ought to be a strictly subordinate Assembly had

*Mr. Heneage*

been at once yielded to by the Government. The Committee was told that Irish susceptibilities must be considered. The English people, however, had their susceptibilities as well as the Irish. The English people had not parted with their pride, and they had their point of honour as well as the Irish, and were more entitled to have it. [*Nationalist laughter.*] At all events, they knew they had it. Why, if this were a mere prejudice on the part of the English, was it not admitted in the same way as a similar prejudice on the part of the Irish Members was admitted? The right hon. Gentleman the Secretary for Scotland (Sir George Trevelyan) said long ago that, in the opinion of his Party, the game of law and order was up. It was evidently the right hon. Gentleman's opinion that we ought not to try to govern any more, but should yield everything that was asked without making the bargain too plain, in case the public should understand the foul disgrace of it and revolt against it. This he took to be the principle, as far as there was a principle, on which this Bill was based. He had really heard no reason whatever that could remove from his mind the suspicion that the Cabinet knew very well that the moment this Bill was passed the Irish Parliament would declare that the policy of the deceased Irish Leader had not been abandoned; that everything he ever claimed for Ireland must be realised by law; and that if the English Parliament denied it, the Irish Members would come to Westminster, point to their power to turn out an English Ministry, and declare that the Irish Parliament must be as independent as Mr. Parnell said it should be, and they themselves had never said it should not be. Every Amendment which had been moved by an Irish Member on this Bill had been in favour of enlarging the power which the Bill gave. How could the right hon. Gentleman opposite profess to believe that Ireland was content with this measure when the only arguments used by the Irish Members had been for the enlargement of the powers of the Bill? They had had fair notice from the Irish Members that they were not satisfied. The Irish Members would have to take what they could get and go away; but, in the meantime, they had given the Govern-

ment notice that they desired a Parliament—a Senate and a House of Commons. The Government had refused this; but, knowing what they did of their Irish friends, did they expect that they had heard the last of these things? How long would it be before the Irish Members came back and renewed their application? Why, they would do so before the termination of the official lives of the present Ministry, and he could hardly name a shorter period. Remembering that Mr. Parnell had declared on oath that he had made a false statement in the House of Commons with the object of entrapping and deceiving the House, and remembering that there were still some Irish Members who did not repudiate either Mr. Parnell's leadership or his morals, it was very probable that any statement which came from the Irish Benches would be received with the utmost incredulity. [*Cries of "Divide!"*] Until someone had got up from the Irish Benches, and had entirely disavowed the political methods of Mr. Parnell, and had said that he did not approve of Mr. Parnell's method of treating the House of Commons, it would be useless for Irish Members to give the House any kind of assurance. He did not wish to depreciate the Irish Representatives, but this he would say: that there was not one of those Members who stood higher in the estimation of the House than Mr. Parnell stood. Was there a Gladstonian who would say that he ranked any Irish Member higher than Mr. Parnell? [*Cries of "Divide!" and "Question!"*] And what was the value of Mr. Parnell's assurances to the House? Nothing! For that hon. Members had Mr. Parnell's own word on oath; and he certainly did not put the assurances of the Nationalist Members higher. The Irish Members had, therefore, shown not only profound political discretion, but a nice sense of what was due to hon. Members opposite, by not attempting to delude the House with any assurances whatever.

MR. STOREY (Sunderland) said, the hon. and learned Gentleman who had just sat down had concluded by making a violent attack upon a dead great man.

AN hon. MEMBER: No, he did not.

\*MR. DARLING: I made no attack upon Mr. Parnell. I praised him at the expense of those who have survived him.

MR. STOREY said, that if the hon. Gentleman had made the attack honestly and openly he should have thought more of him. He would remind the hon. Member that he had said that Mr. Parnell stated one thing in one place and another thing in another place.

AN hon. MEMBER: Do you deny it?

MR. STOREY: Surely that was an attack on Mr. Parnell? He had known Mr. Parnell well, and he respectfully said to the House that it would minister to their sense of propriety, and would be more in consonance with propriety and with Conservative traditions, if those who were dead were left alone. The hon. and learned Gentleman had said that the policy of the Government seemed to be to yield everything that was asked.

MR. DARLING: No, no!

MR. STOREY said, the hon. Member had used those words. He had taken them down at the time.

\*MR. DARLING said, he had drawn particular attention to several things that had been asked but which had not been granted, and as to which the Government had given no reply.

MR. STOREY said, that if the hon. and learned Member thought he did not make use of the words he (Mr. Storey) had taken down he would not press the matter. The reason he interposed was because complaint had been made by the right hon. Gentleman the Member for West Birmingham that the supporters of the Government did not speak and did not move Amendments. Well, he admitted that they did not speak; but he put it to the right hon. Gentleman, who was a very frank man, whether, if he had been sitting on the Treasury Bench as a Minister of the Crown—and Heaven knew he wished the right hon. Gentleman had been—if, instead of opposing the Bill, the right hon. Gentleman had been defending and supporting it—which was a possible supposition, what would have been his counsel to himself (Mr. Storey)

and other independent Members of his Party? It would have been to "hold your tongues as much as you can vote square, and leave the Amendments to your opponents." Knowing the right hon. Gentleman's internal convictions on this matter he did not listen to his public speeches, which were drawn from him by the exigencies of his present unfortunate position; but he respected his inner consciousness, and obeyed what he knew was the right hon. Gentleman's interior thought. The right hon. Gentleman said that the supporters of the Government did not propose Amendments to the Bill. He was quite wrong. They had not proposed any Amendments on Clause 1, and why?—because, again guided by that reverence for the right hon. Gentleman's ancient authority which they all had in their hearts—[laughter]—yes, ancient respect though present sorrow for a good man gone wrong—they agreed with every word in the clause. While the right hon. Gentleman was making his speech he had counted up the Liberal Amendments to the Bill, and he found there were 104 of them. He might tell his right hon. Friend—for he was sure it would comfort him—that some of the Amendments, at any rate, would be persisted in. With regard to the clause he was going to vote for it, because he believed it was a proper and righteous thing to do. What was the whole of the right hon. Gentleman's argument? It was that before he voted for the clause under consideration he must be told what the Government were going to do as to the supremacy, the retention of the Irish Members, and finance. And then the right hon. Gentleman challenged hon. Members to say frankly what they thought on those points. He would give the right hon. Gentleman two answers. He would tell the right hon. Gentleman what he thought about the supremacy when they came to Clause 6, what he had to say about the retention when they came to Clause 9, and he would tell him what he thought about finance when they came to Clause 10. That did not satisfy the right hon. Gentleman. He wanted a present answer. Very well; he (Mr. Storey) would give a present answer. He had no authority to speak for a single Member besides himself; but he would

*Mr. Storey*

speak what he knew to be the opinion of a considerable number of hon. Members, and what he was sure was the opinion of the honest, intelligent Radicals in the North of England—he would say what they meant by supremacy for the Irish Parliament.

An hon. MEMBER: It is not a Parliament.

MR. STOREY: Yes, it was a Parliament. A Parliament was a speaking House, and no one would deny that the House on College Green would be that. It was to be an Assembly of Irishmen, elected by the Irish people upon the broadest franchise that they could get, to carry on the business of Ireland in Ireland for the benefit of the Irish people, and within that scope it was to do as it pleased without any meddling interference from hon. Members here. There were many hon. Members opposite willing to take sensible views; and though he was an old Home Ruler and anxious to get Home Rule as soon as possible, he believed that by the arrangements of Providence it would probably be a Tory Government that would pass Home Rule. They were sure to have Home Rule at some time or other passed by someone. If an Irish Parliament was not to manage Irish affairs according to its judgment there was only one alternative. The measures of the Irish Parliament must be reviewed and decided upon here. Did hon. Members opposite contemplate with satisfaction such an idea as that? It was bad enough now to have Irish matters here; but if those matters were first debated in Dublin and then reviewed here; what would become of those British measures which hon. Members opposite wanted so much to get passed? If they did not have that, it followed that they must leave substantial control in Irish matters to the Irish Parliament—and that was what he meant by supremacy. Now, as to retention, he would tell hon. Members opposite what he meant by it. He would say what he was going to do. He was in favour of the Irish Members being left at Westminster, for he contemplated the time—though the right hon. Gentleman rather giped some of them for contemplating it—when there would be an As-

sembly in England for English affairs, in Scotland for Scotch affairs, in Wales for Welsh affairs, and in Ireland for Irish affairs.

Several hon. MEMBERS: "And for Durham," "And the Isle of Wight," "And Sunderland."

MR. STOREY said, he called this too bad. Hon. Members opposite asked for a frank expression of opinion; he gave them his, and then they interrupted with all sorts of jocular observations. It was not kind—it was not fair. He contemplated that, and contemplating that he was in favour of keeping the Irish Members here, because everyone could see, if that condition of things were achieved, the Imperial question settled itself. There would be nothing but Imperial questions to be settled by this Imperial House. And now he came to finance. He agreed with the right hon. Gentleman the Prime Minister. He did not care how they did it, but he maintained that England was not going to give this Assembly to Ireland unless they gave it in such a financial position that it would have a reasonable chance of successfully conducting the affairs of the country. It was said the plan in the Bill did not suit—that the figures did not fit. That was quite probable. If the right hon. Gentleman himself (Mr. Chamberlain) had been in the Ministry it would have been probable.

An hon. MEMBER: He said he would "square the books."

MR. STOREY said, he came from a part of the country where the people were very careful of their bawbees—almost as careful as the Scotch, and that was saying a good deal. They were not disposed to waste money, but his view was that Ireland, when it started on this business, should start on a satisfactory footing. If there was to be a settlement they should remember the old history of Ireland and England. They should remember that they had done Ireland wrong in the past, and should settle the contribution of Ireland by her possibilities. If he had to strike a balance he should give something in, and make such a settlement as a man made with a gentle-

man he had wronged. Did the hon. Gentleman the Member for West Birmingham think he had spoken frankly?

MR. J. CHAMBERLAIN: Hear, hear!

MR. STOREY said, if the right hon. Gentleman thought so he was satisfied. In conclusion, would the right hon. Gentleman permit him, as an old friend, to say this: the right hon. Gentleman had frequently been kind to him, and he did not think he had been unkind to the right hon. Gentleman. He would venture to say to the right hon. Gentleman that he thought it would be well if he would remember his ancient relations with the Liberal Party. Knowing the right hon. Gentleman's capacity and the bent of his mind, and his sound convictions upon many democratic questions, he thought it would be well for him not to waste his strength in the House in being the swash-buckler of the Tory Party, but would contemplate the time when in happier circumstances—

An hon. MEMBER: Never.

MR. STOREY: An hon. Member said "Never." He hoped he was a new Member. He (Mr. Storey) had been long enough in the House to know that political animosities died out. He did not refuse to acknowledge the prominent services the right hon. Gentleman had rendered to Radicalism in the past; and he, for one, still hoped when in happier circumstances, this wretched business being settled, the right hon. Gentleman and himself, and many other Radicals there, might be spared to act together for the relief of the toilers, and to act together to take ransom from those who did not toil or spin. He had made a speech. He had spoken exactly what he thought, and what a great many more were thinking, and if they did not speak again and again it was because they were practically common-sense men. They wanted this Bill to pass, and every speech they made only postponed that happy consummation.

MR. E. STANHOPE (Lincolnshire, Horncastle): The hon. Member who has just sat down has claimed for himself that he has made a frank explanation. Well, it certainly has been very frank.

He has sketched out to us a Bill for giving Home Rule to Ireland very different from the Bill now on the Table, and he also indicated to us a programme by means of which, when this wretched Bill is out of the way—

MR. STOREY: The right hon. Gentleman quite misunderstood me. I did not say "wretched Bill."

Several hon. MEMBERS: Yes, you did. [*Cries of "No!"*]

MR. STOREY: I said, "this wretched business," meaning the cleavage between the Radical Party and some of their former friends.

\*MR. E. STANHOPE: Of course, I accept the hon. Member's statement. The hon. Member then pointed to a time when, this wretched business being out of the way, the Gladstonian Party might be expected to return within the fold of the old Liberal Party from which they departed seven years ago. I must say I think that his explanation was not only singularly frank, but was one that was very welcome to us on this side of the House, because we are perfectly persuaded that any body or Party who puts forward such a programme would not have the slightest chance of securing its acceptance at the hands of the people of the country. But I desire to turn for a few moments to another speech—to that of the Prime Minister. I do not for a moment desire to make a complaint as to his absence from the House. We can all understand it; but I should like to say that after having elaborated the objections he had to answer, and having expressed a desire to answer all of them, he sat down without having answered a single one. He made a statement which filled me with surprise. He said that he had previously given explanations of all the points raised by the right hon. Gentleman the Member for West Birmingham at an earlier period of the evening. A more astounding statement was never made in Parliament. If the right hon. Gentleman made such explanations he has not made them clear to this House, which is still in as much doubt as it ever was as to the intentions of the Government upon some of the most important provisions in the Bill. No doubt the reason he is unable

*Mr. E. Stanhope*

to make his explanations clear to us is because he lives upon a different planet to us. The right hon. Gentleman sits down feeling certain of having demolished the arguments we have brought forward, and feeling certain that nothing remains to be answered; and yet we feel that, somehow or other, the fog which surrounds this subject has not been lifted, but has been made more dense than it was before. I cannot help referring to a statement made to me a good many years ago by a witness absolutely unimpeachable. I was often told by my father that in 1845, when the right hon. Gentleman (Mr. W. E. Gladstone) retired from the Government then in power, Sir James Graham wrote a letter to Sir Robert Peel in which he referred to the impending resignation of the right hon. Gentleman; and he said in the conclusion of his letter it was no doubt a misfortune that Mr. Gladstone had failed to seal a letter he had sent, but that in his case, perhaps, it did not matter, as he (Sir James Graham) would defy any postmaster in the Kingdom, having read it from beginning to end and many times over, to arrive at the faintest glimpse of the right hon. Gentleman's meaning. If the right hon. Gentleman has made an explanation he certainly has not made it to the House. No doubt he has made it to hon. Members below the Gangway. That we can well understand. They know a great deal of his intentions—a great deal more than hon. Members sitting behind him can know, or pretend to know. The Opposition have been kept wilfully in the dark with regard to the intentions of the right hon. Gentleman and his Government with regard to this Bill. As a matter of fact, he has made no explanation at all. I would ask any candid man, for instance, whether any satisfactory explanation has been given as to the position which Ulster will occupy under the Bill? It is true that in 1886 the right hon. Gentleman said that if hon. Members representing Ulster were to express a strong desire to be excluded from the operations of the Bill the Government would be perfectly prepared to reconsider the matter; but he now says that he has never been able to extract from the discussions in this House any opinion from the Ulster Representatives to that effect.

Then take the Financial Clauses. Is it conceivable that the right hon. Gentleman can contend that any explanation has been given to the House with regard to the future position of the Financial Clauses? Why, he has met all our criticisms and objections by simply saying that the Financial Clauses are going to be postponed until the end of the Bill. We, of course, know that that means that he intends to postpone them until he has made a compact with hon. Members below the Gangway. When he tells us he has informed us fully of the cost of the Home Rule proposal to this country, he is stating—without, I am sure, a desire to deceive us—something that is not the fact. We do not know the cost. All that we have yet been told is that the calculations on which the original proposal was made were wrong.

DR. CLARK : I rise to Order. The right hon. Gentleman has been talking for five minutes about the Financial Clauses; but I understand that the Question is that Clause 1 stand part of the Bill.

THE CHAIRMAN : That is so, but, as I have already pointed out, it is impossible to prevent hon. Members referring to questions such as these. But, at the same time, it is out of Order to discuss the details of other clauses.

\*MR. E. STANHOPE : I submit to your ruling, Sir. All I am pointing out is that the Prime Minister, although he said that he had given an explanation as to the questions put by the right hon. Gentleman the Member for West Birmingham, has, as a matter of fact, offered no explanation at all. I find another matter which has arisen on the Second Reading of the Bill. My hon. Friend the Member for Guildford (Mr. Brodrick) raised objections to the Financial Clauses. Nobody can deny that the speech of my hon. Friend was cogent, keen, and powerful. No reply has ever been attempted to those objections. If my hon. Friend was right, instead of the Irish Government starting with a surplus, they will begin with a deficit. I should have thought that to any such allegation, supported as it was by figures, an attempt, at least, at an answer would be made by the Government against whom

it was directed; but it has not been answered, or attempted to be answered, by the Government. Again, the Prime Minister also said that he had given an explanation with regard to the retention of the Irish Members in the House of Commons. Is it possible that any such statement can deceive any man in this House? Why, he has also told us that he is waiting for Clause 9 to make a statement on the subject, and that if we want to get a complete view of the intentions of the Government in this respect, we must wait until Clause 9 comes under discussion. The right hon. Gentleman then went on to say that upon the First Reading he spoke for three-quarters of an hour about the retention of the Irish Members. That is perfectly true, but he spent all that three-quarters of an hour arguing against the proposal in his own Bill. Then the right hon. Gentleman asks us not to shut our minds against any arguments that may be adduced hereafter. Now, we have never shut our minds to any arguments that may be adduced on this subject; but while every faculty of which the right hon. Gentleman is possessed is directed to gain any indication of opinion from Irish Members, his mind is shut to every argument of his opponents. The right hon. Gentleman then went on to say that the explanations he had previously given were the best the Government had to offer. I can very well understand that, for as in the course of the previous discussion on the Bill practically no answer whatever was given to the main arguments we adduced, so now, when the right hon. Gentleman the Member for West Birmingham repeats a question to which hitherto he has received no answer, the Prime Minister might very well take refuge in saying that the explanation he has already given is all the answer that he has to give. The right hon. Gentleman told us, indeed, that there was a happy time coming—what he called a “proper time”—when he will give us a proper answer. In my opinion that time will never arrive. When, upon the 1st clause, we asked for the intentions of the Government, the right hon. Gentleman put us off to a later clause, so, at a later stage, if we attempt to raise a discussion, the right hon. Gentleman

will tell us that it is too late, and that we have missed our opportunity, as the clause on which an explanation might be given was passed. I believe the proper opportunity to propose an Amendment, or to ask any question, to meet with the approval of the right hon. Gentleman passes the wit of man to determine. The right hon. Gentleman says that the Opposition desire to prolong the controversy. I can assure the Committee that we do not want to prolong it beyond the point when a plain issue is submitted to the people of this country. The people of this country are no longer to be hoodwinked by having put before them all sorts of inducements to vote for Home Rule, except the explanation of what Home Rule means. We desire that a plain issue shall be placed before the country at the earliest possible opportunity; and we desire that that issue should be decided, not by what the right hon. Gentleman calls the cream of all classes, but by the free voices of all the people of this country, educated as they have been by seven years' experience, and still more by the education they are receiving by the discussions on the Bill. We have no fear of the result, and are perfectly sure that, in the words of the Prime Minister, the Bill, which is a hash to-day, will be a cold fragment to-morrow. The right hon. Gentleman also says that he will choose the moments which, in his judgment, are most suitable for giving information on the provisions of this Bill. We cannot help that. The right hon. Gentleman, of course, is entitled to use his own discretion. But we, on our part, are entitled to use every opportunity that is given us to express our opinions upon the provisions of this Bill; and we are entitled to say, as I want to say now, that there are many reasons why we should think that the Bill at the present time is a worse Bill than when it was introduced. On the 1st clause we tried to obtain information, to introduce Amendments, and to secure safeguards; but we failed in all those endeavours. We endeavoured to discover whether the interpretation placed upon the Bill by the Government was the same as that placed upon it by their Irish allies below the Gangway; but the right hon.

*Mr. E. Stanhope*

Gentleman was determined that we should not find that out, and so, he, in the plainest terms, told those Irish allies not to speak at all. When the Nationalist Members were challenged by the right hon. Gentleman the Member for West Birmingham whether they adhered to the statements which they made to their constituents in respect to this Bill, and whether they would venture to repeat those statements in this House, the Prime Minister advised them not to utter a single word. The fact is that the greater part of this Bill is still unsettled. A considerable part of this Bill is going to be thrown into the arena of discussion in the House of Commons. We are without definite knowledge of the intentions of the Government as to what they will insist upon. But we know they will not be guided mainly by the discussions that take place; they will mainly be guided by the attitude assumed by hon. Members below the Gangway. Therefore, I venture to say that I have proved the proposition with which I set out—that we are entitled to regard this Bill, if possible, with greater dislike than we looked upon it at the beginning of the discussion. We are asked to establish in Ireland a separate Legislative Body, constituted we do not know how, and whose relations with the Imperial Parliament are, at the present moment, altogether undefined. We are entitled to reason as to the effects and results of an Irish Parliament from the character, the antecedents, and the recorded utterances of those who are going to administer that Parliament; and, if we are to judge from the utterances of Irish Members, there can be no doubt as to the objects and intentions with which they are going to accept an Irish Parliament. The Prime Minister said he accepted their Parliamentary declarations as complete as to the manner in which they would administer the Parliament; but the right hon. Gentleman said the same thing in 1886. And surely he ought to be enlightened by the proceedings of No. 15 Committee Room, when the Irish Members repudiated the interpretation which had been placed on their views, and showed very plainly that the objects for which they desired a separate Parliament and the manner in which they

would administer it were altogether different from their professions in this House. Of course, it will be said that our fears as to the action of the Irish Parliament will not be realised. I am not concerned to argue that at all. The question is whether it is possible, and if it be possible for the fears which the Opposition entertain to be realised we have a right to examine the provisions of the Bill with every care to see whether there is anything in it that will afford security. I attach no value to any of the safeguards proposed; you may put in 50 more, or take all out, and the result will be just the same. If they are of any value, the mere insertion of them in the Bill will lead to an agitation for their removal the moment the separate Parliament is established. The Government themselves attach no value to these safeguards. The Secretary for War told us on the First Reading of the Bill that they were put in to assuage the fears of innocent persons. We are not so innocent, as we believe the Parliament to be established will practically be an independent one. Some Ministerial Members dislike the Bill as much as we do; but they solace themselves with certain crumbs of comfort. One of these is our experience of Legislatures in the Colonies. They tell us that there are many Parliaments in the Colonies, and that the addition of another one in Ireland cannot, after all, endanger our Imperial supremacy. I will give only one objection, but it is an objection which, I think, goes to the very root of the matter. When we gave Legislatures to the Colonies we abandoned all ideas of forcing our wishes upon them. A Colony might cut off the salary of a Governor, or enter into a Treaty against the wishes of the Imperial Government with a Foreign Power, and we could not send troops to compel that Colony to respect our wishes. The fact is, our relations with the Colonies rest entirely upon the goodwill of both parties to the contract. They have got the power of separation. They could leave us to-morrow if they wished. But they are attached to us by friendly feelings—by feelings of attachment towards the Mother Country. Will anyone venture to say that the case is the same as regards Ireland? There

we are going to retain a supreme, a coercive power—a power that we can use, and that we intend to use, and, as I believe, we will have to use if Ireland gets this independent Parliament, with the chance of separation at an early date. It has been said over and over again that there is no danger, because we have an Army and a Navy to enforce our decrees. Very shortly the Committee will have to argue that question in detail; and I believe it will be shown that the position of the Imperial troops in Ireland, dangerous as it may be in time of peace, will be even more dangerous in time of war. If the Irish Parliament thinks fit, not necessarily by legislation, to carry out acts calculated to undermine the position of isolated individuals, such as the landowner, or to take away his property, how is it possible for the Army of Great Britain to afford him any protection at all. I deny, also, that the presence of the Army can be of any value to isolated individuals if it is going to be used against the Civil Authority in Ireland, unless you are prepared to face the terrible calamity of civil war. I have only one further objection to raise. It is the favourite argument of the Chief Secretary that increased responsibilities placed upon Irish Representatives will be a guarantee that they will use their powers rightly and well, and will do their best to have their legal obligations respected. I am quite sure the right hon. Gentleman strongly entertains that view; but we do not agree with him in his estimate of the Irish people. Even if the Irish Leaders have these intentions, I believe the power has gone from them to act upon them. For years they have been leading the Irish people to believe that their obligations need not be respected. They have advocated the Plan of No Rent. They have supported, and supported even by violence, the Plan of Campaign. They have supported all resistance to legal obligations, until it is perfectly notorious that at the present time many of the people of Ireland are looking forward to Home Rule because they believe they are going to get everything for nothing. If the Irish Leaders get the power they will be called upon to make good their promises. I, therefore, object to this clause, because it is dangerous in principle



and practice, because it would place those into whose hands the government of Ireland would fall in such a position that they would be unable to act except in accordance with the pledges they had given to the Irish people, and because it must inevitably lead to further breaking up of the Imperial Parliament. We know that the Prime Minister no longer entertains the opinions which, judging from his past speeches, we thought he did entertain. But that is not the case with many of the right hon. Gentleman's Colleagues, who look at the grant of a separate Parliament to Ireland as a first step to the creation of separate Parliaments for Scotland, Wales, and England also. Well, I object to this separate Parliament because it is a step in that direction. If these right hon. Gentlemen put their views upon paper and endeavour to work out separate Legislatures for the different parts of the United Kingdom in the shape of Bills, the first thing that will happen will be that their scheme will be laughed out of the House of Commons. The Parliament of the United Kingdom fulfils all the objects for which it exists; and any changes which have been effected in Ireland, so far from diminishing, have increased the responsibility of the Imperial Parliament, and their obligations to protect all the minorities of the Irish people. We, Sir, at any rate can have no doubt. We must oppose the grant of a separate Parliament to Ireland, under whatever guise or whatever form that separate Parliament may be proposed.

\*THE SOLICITOR GENERAL (Sir JOHN RIGBY, Forfar): I will not interpose long between the Committee and the Division. I will not waste time by following hon. and right hon. Members into a discussion which the right hon. Member for Birmingham, at the beginning of his speech, said was in the nature of a Second Reading discussion. My task is comparatively a humble one. I hope to address myself to that part of the Debate upon this 1st clause which has to do with the question of Constitutional Law. I have been amused—I have been surprised at some of the claims, real or affected, which have been put forward by hon. Members on the other side. I acknowledge that there may be

*Mr. E. Stanhope*

truth in a way in what the right hon. Member for Cambridge University has said, that a Law Officer is obliged to give his opinion to the House. So it may be. I hope I shall never shrink from my responsibility on that head. But to put forward a suggestion that it is the right of any hon. Member of the Opposition to demand that at any time he asked for it the Law Officer should give an opinion upon a question which that Law Officer might think futile or silly—it might be an important question, but, in his humble judgment, ill-timed—to put forward a suggestion of that kind is a thing I have never heard of, and until it is shown to me to be the recognised rule of Parliamentary life I should never submit to it. The kind attentions which have been paid to me confirmed me the more in thinking that I was right in abstaining from speaking on this Bill. I wished to know what were the points upon which the House, or any section of the House, really wished that an opinion should be given; I wished, as the Debate went on, to know precisely the extent of the claims which are supposed to be valid as against a man in my position, and at last I heard a complaint made to the effect that I listened for a longer time than I spoke. That I hope will always be the case. Only two points of Constitutional Law, as I understand, have been raised since the Bill has been in Committee. One was by the hon. and learned Member for Deptford as to the right to name Her Majesty the Queen as a branch of Parliament. If a Law Officer is to answer questions of that kind, his time would be fully occupied indeed. If the hon. and learned Gentleman who raised the question had taken the trouble to look at the nearest text-book at hand, he would ascertain, without doubt, what the law is. Questions of that kind are idle and futile, whether they are put forward by learned or unlearned gentlemen. Members of this House who do not profess to be learned in the law might well put forward such a question, and might well ask for a fair answer; but when it is put forward by a learned Gentleman, it is, I say, idle and futile. The Constitutional view as to the supremacy of the Parliament of the United Kingdom now, or after a Bill of the general character of that before

the Committee has been passed, is a question on which I have not been silent before. I have nothing new to say on the point. What I said on the Second Reading of the Bill I will say again—that, supposing this Bill becomes an Act of Parliament, the United Kingdom will still be the United Kingdom, and Ireland will be a part of it. This Parliament of the United Kingdom will remain, to all intents and purposes, the Parliament of the United Kingdom, including Ireland. Not one jot or tittle of the authority of this Parliament will be taken away by such a Bill as this; and further than that, I affirm that it is Constitutionally impossible that this Parliament, by any Bill it could pass into law, could deprive itself of that authority. This has been proved by numerous instances, and by none more than by the cases that arose under the Act of Union with Scotland and the Act of Union with Ireland. Under both of those Acts the Parliament for the time being—in the first case, the Parliament of Great Britain, and afterwards the Parliament of Great Britain and Ireland—efforts were made to establish a Constitution which should last for ever, which, in other words, should bind future Parliaments; but it was held that those efforts were altogether unavailing, because the Parliament for the time being had no right or authority to limit or restrict in any way the authority of its successors. With regard to both the Act of Union with Scotland and the Act of Union with Ireland, most important parts affecting the very essence of the Acts have been repealed, although the arguments which are now advanced were then insisted upon. Those Parliaments of the 18th, and the beginning of the 19th, centuries could only make the law for their time, and the supreme power and authority of the Parliament of the United Kingdom remained to undo that law, however plain the language might be expressed that the Parliament of the time did not intend that it should be removed. I do not hesitate to say that I prefer that the Parliamentary draftsman should say nothing in a Bill of this kind about the supreme authority of Parliament. It appears to me that the most workmanlike way is to leave the matter alone, for we have no power to interfere with that

authority, and therefore it is of little avail to attempt to support and establish it by words more or less plain. But if it can be shown that some advantage would be gained by departing from this plain rule of what I shall call proper Parliamentary drafting, we might perhaps give way. If it be thought that consciences would be quieted or that some doubtful opinions would be converted into certainty by a declaration of the supremacy of Parliament, then it may be worth while to print that declaration. But if it is to be done, it certainly ought not to be done in a proviso upon a particular clause of the Bill. That course is more likely to raise doubts than to allay doubts. If anything is to be done with the object of recognising the continued supremacy of Parliament, it ought to be something that will affect the whole measure. Let it be as simple as possible; let it be as general as possible, bearing always in mind that too limited a declaration would probably do harm by raising additional doubts, while the declaration cannot be too extensive, because it is impossible to increase that which is already supreme and unlimited. Of the proposals which I have heard none of them meet this objection. The Committee knows from what has been already stated by the Prime Minister and the Home Secretary, that if an independent clause, which ought to be placed at the beginning or the end of the Bill and not in the middle, is brought forward for the purpose of recognising the superiority of the Imperial Parliament, it will be considered. Care, however, must be taken not to create doubt where none really exists by the use of doubtful phrases. The right hon. Member for Bodmin asked whether the authority of Parliament was to be vital or whether it was to be sterile. This House cannot say what it is to be. It is beyond the jurisdiction of this House. If we were to enact in the plainest language that that authority should determine to-morrow, in the next Session of Parliament an Act might be passed reviving it in full force. It is useless to attempt to lay down what shall be the extent of the authority, for the subject by its nature evades us. If the Bill passes into law the Irish Legislature will be under great obligations—I

do not say more than obligations of self-interest, self-justification and common sense—to take the greatest pains not to exceed the limits that will have been imposed upon it and accepted by it, and it must also take the greatest pains not to do anything within those limits which would be plainly subversive of natural justice, for such action would rouse the indignation of this country and the world; and if it should be indulged in the supreme authority of the Parliament of the United Kingdom, would be felt at once as a vital authority. But if the Irish Legislature should not be guilty of such acts—which we believe will be the exact result—it need not fear any meddling on the part of the Imperial Parliament. An authority may be vital without being meddlesome; it need not be sterile because it is dormant and has to wait for the occasion when it arises.

MR. A. J. BALFOUR (Manchester, E.): Mr. Mellor, I rise to move that you do report Progress. The clause under discussion is one of great interest, and more time is required for its discussion. Some of the speeches that have been made still remain unanswered. I wish also to point out that, so far as I am aware, not a single hon. Gentleman from Ulster has had an opportunity of expressing his views. I therefore move that you report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. A. J. Balfour.)

MR. J. MORLEY: I am sorry to say, Sir, I cannot accept this Motion. It is quite true, as the right hon. Gentleman has said, that we have been debating this Motion five hours. But what have we been debating? The 1st clause contains the assertion that there shall be established a Legislature in Ireland. Surely that proposition was accepted by the House on the vote for the Second Reading. Then there are two Committee points. The first is, that there shall be two Houses of that Legislature. That has been established after debate by the vote of the Committee. The second Committee point in the clause is the names of these two Bodies

*Sir John Rigby*

of the Legislature. These questions have been decided after debate and by a Division. I submit, Sir, with all respect, that most of what we have heard to-night, including the powerful speech of the right hon. Gentleman the Member for West Birmingham, has been Second Reading debate, and not debate upon the clause at all. All I can say is that, so far as I understand, this kind of debate upon a clause is an immense innovation in Parliamentary practice; and if upon every clause of this Bill you are to raise, and you may raise, the principle you are trying to establish to-night, all these Second Reading questions which have been raised and discussed to-night, this Bill will not be out of Committee in 12 months. [*Opposition cheers.*] I quite understand why you cheer; but let this be understood—that we shall do all we can in accordance with the Forms of the House, as rightly understood and interpreted in conformity with the traditions of the House—we shall do all we can to resist your tactics. We shall oppose this Motion and take care, if it should be attempted to carry out the same tactics that you have attempted to-night—

MR. A. J. BALFOUR; No tactics. [*Cries of "Withdraw!"*]

MR. J. MORLEY: Surely, Mr. Mellor, to say that the word "tactics" is out of Order is a most childish contention. I beg to move that the Question be now put.

THE CHAIRMAN withheld his assent, and declined then to put that Question.

Question put, "That the Chairman do report Progress, and ask leave to sit again."

The Committee divided:—Ayes 260; Noes 304.—(Division List, No. 79.)

MR. HALDANE (Haddington): I beg to move that the Question be now put.

THE CHAIRMAN: Order, order!

House resumed.

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow, at Two of the Clock.

## RAILWAY RATES AND CHARGES.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the manner in which the Railway Companies have exercised the powers conferred upon them by the Railway Rates and Charges Order Confirmation Acts, 1891 and 1892, and to consider whether it is desirable to adopt any other than the existing means of settling differences arising between the companies and the public with respect to the rates and conditions of charge for the conveyance of goods, and to report what means they recommend.

That the Committee do consist of Seventeen Members."—(*Mr. Marjoribanks.*)

Objection taken to the Motion.

MR. MARJORIBANKS: I understand it was arranged that the Reference should be moved to-night, and that the names of the Committee should be nominated on Monday.

COLONEL HOWARD VINCENT (*Sheffield, Central*): Will it be taken as the first Business on Monday?

MR. MARJORIBANKS: No, Sir.

## ADJOURNMENT.

Motion made, and Question proposed, "That this House do now adjourn."

APPLICATION OF THE CLOSURE—  
PERSONAL EXPLANATIONS.

MR. WHITBREAD (*Bedford*): On this Motion, Mr. Speaker, I desire with your permission to offer to the right hon. Gentleman the Member for Cambridge University (*Sir John Gorst*) an opportunity of making some explanation upon an incident which took place before, Sir, you came back again to the Chair. The facts, as far as I am concerned, are briefly these: I was standing at the back of the Chair with others, and there was a debate amongst some friends as to whether it was possible to move the Closure after the hour of 12 o'clock to-night and after the Division on the Motion to report Progress. I was of opinion that it was possible to move the Closure, and, passing out in the Division, I lent across the Table, and, addressing the Clerk at the Table—not the Chairman—I used these words to him:—"We are entitled, are we not, to claim to move the Closure after this

Division?" Upon which the right hon. Gentleman and his friends who were standing near him in a loud tone—in tones calculated to be offensive—shouted out across the Table, "Shame, shame!" I then said, "What is that you say?" not being sure that I heard aright, and the expression was repeated. I submit, Mr. Speaker, to your judgment that this is not a Parliamentary word—that it is a word that cannot be used by one Member to another in this House; and that if such conduct is pursued it will render life in this House, I think, perfectly intolerable. When the right hon. Gentleman shouted "Shame" I went to him and asked him would he give an explanation of his conduct when either the Chairman or the Speaker was in the Chair, and he said he would. He has not done so up to the present time, and I now desire to give the right hon. Gentleman an opportunity of offering any explanation he may feel inclined to give. After that is done, Mr. Speaker, I will submit to your judgment whether the conduct I have described is Parliamentary or ought to be tolerated in this House.

SIR J. GORST (*Cambridge University*): I did, Sir, among other Members, make use, just before the last Division, of the expression which has been referred to by the right hon. Gentleman opposite. I was led to do so by my zeal for the independence and authority of the Chair. What actually happened was this, Sir: There was a very delicate and a very important question under consideration by the Chairman of the Committee—namely, whether he could or could not allow the Closure to be moved after the Division upon the Motion to report Progress, which had not terminated till considerably after 12 o'clock. Instead of leaving the Chairman of Committees, with the assistance of his proper advisers at the Table, to determine that point for himself, he was surrounded by a group consisting, in the first place, of the Patronage Secretary to the Treasury, the right hon. Gentleman the Chancellor of the Exchequer—

MR. MARJORIBANKS: The right hon. Gentleman is entirely mistaken.

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SIR J. GORST: And the right hon. Gentleman the Member for Bedford. There was a considerable group, who seemed to surround and almost overpower the Chairman of Committees. I confess that, moved by my desire to support the independence and authority of the Chair, I made use as I passed by in going into the Division Lobby of the expression to which the right hon. Member has made reference. I accept perfectly, of course, his explanation as to his presence in that group. If I had known that the right hon. Gentleman was in the group merely for the purpose which he has now explained to the House, I certainly should not have made use of such an expression; and so far as he is concerned I have no hesitation, after his explanation to the House, in withdrawing the expression and apologising to him for having made it. I believe the expression as applied to any hon. Member of the House is unparliamentary, and I must therefore express my regret for having used an unparliamentary expression, which was forced from me by the indignation which I felt at the attempt which I thought, and which I thought on fairly reasonable grounds, was being made to tamper with the independence of the Chair.

\*MR. SPEAKER: After what has passed there is very little for me to say. The word "shame" is an expression I have always endeavoured, with the sanction of the House, to restrain; but after what has passed, and as the right hon. Gentleman has so frankly acknowledged the unparliamentary character of the expression, I do not think there is anything more to say. I could have wished that the Chairman of Committees had been present, so that the House might have heard his version of what passed; but as he is not present, I am scarcely in a position to judge, and I hope the House will not think that it will be necessary for me to hear anything more of the matter.

#### RAILWAY RATES.

DR. CLARK thought it was a matter of urgent importance that if there was

a Committee to be appointed this year on railway rates and charges it should be appointed at once. When did the Government intend moving in the matter?

MR. MARJORIBANKS desired to move the appointment of the Committee as soon as possible. He had moved it again and again, but he had always met with opposition. He should put down the Motion for Monday.

#### VACCINATION BILL.

On Motion of Mr. Secretary Asquith, Bill to amend the Vaccination Act of 1867, ordered to be brought in by Mr. Secretary Asquith and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 356.]

#### NATIONAL DEBT.

Return ordered—

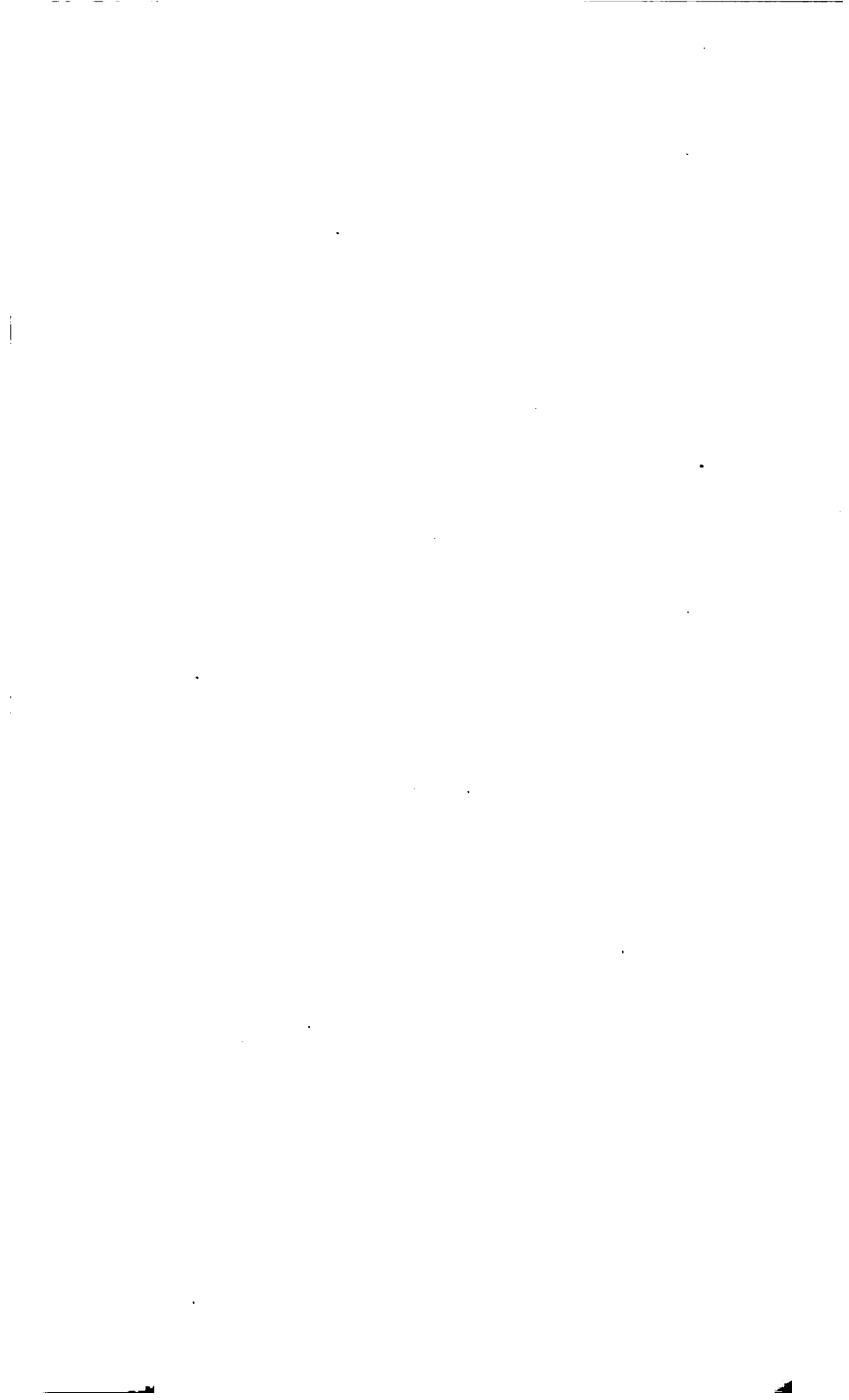
"Showing at the close of each financial year from 1835-6 to 1892-3, both inclusive, the Aggregate Gross Liabilities of the State as represented by the Nominal Funded Debt Estimated Capital Value of Terminable Annuities, Unfunded Debt, and other Liabilities in respect of Debt, the Estimated Assets, and the Aggregate Net Liabilities, also the Exchequer Balances; and showing at the close of each financial year, from 1835-6 to 1892-3, both inclusive, the Gross and Net Expenditure charged on the Consolidated Fund on account of the National Debt, and other payments in respect of Debt (in continuation of Parliamentary Paper, No. 332, of Session 1892)."—(*Mr. Chancellor of the Exchequer.*)

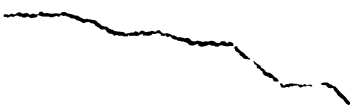
#### PUBLIC EXPENDITURE AND RECEIPTS.

Copy ordered—

"Of Account of the Total Expenditure in the year ending the 31st day of March 1893, distinguishing between the Ordinary Expenditure provided for out of the Revenue of the year and the Extraordinary Expenditure provided for out of Loans and other Sources, and also the Total Receipts of the year, distinguishing between the Ordinary Revenue and Receipts derived from Loans and other Sources (in continuation of Parliamentary Paper, No. 156, of Session 1892)."—(*Mr. Chancellor of the Exchequer.*)

House adjourned at twenty-five minutes before One o'clock.





## HOUSE OF LORDS,

Friday, 12th May 1893.

Several Lords—took the Oath.

## COMMISSION.

The following Bills received the Royal Assent :—

1. Customs and Inland Revenue.
2. Local Authorities Loans (Scotland) Act (1891) Amendment.
3. Police Disabilities Removal.
4. Post Office (Acquisition of Sites).
5. Suffolk County Council Committee (Borrowing Powers).
6. Local Government (Ireland) Provisional Order (No. 1.)

## BUSINESS OF THE HOUSE.

LORD KNUTSFORD: My Lords, it would probably be convenient to many of your Lordships if my noble Friend (the Earl of Kimberley) would state what are the arrangements for the Whitsuntide Holidays?

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): It is proposed that the House should adjourn from next Thursday to the Tuesday week following.

## LICENSING BOARDS BILL [H.L.]—(No. 49.)

## SECOND READING.

Order of the Day for the Second Reading, read.

\*THE BISHOP OF LONDON, in moving the Second Reading, reminded their Lordships that, in presenting the Bill to the House shortly before Easter, he had made a statement of its scope, and stated that he had received a number of Petitions in support of it from various branches of the Church of England Temperance Society throughout the country, as well as from the Knights of Temperance. The purpose of the Bill was to deal at once with the great temperance question, and in such a way

as to be permanently effectual, while, at the same time, it should begin to operate immediately. As far as he could see, it did not interfere with other proposals before their Lordships, or the other House of Parliament. The Bishop of Chester's Bill, which was put down for Second Reading on Monday next, was not in the slightest degree interfered with by this measure, to which, if this were carried, there was nothing to prevent its being adapted. The first proposal of the Bill was the substitution of Licensing Boards for the present Licensing Justices. The reason for that proposal was partly the peculiar nature of the work of granting licences, and partly the general public demand that everything of the kind should be in the control of the public. Whether a particular house should be licensed or not was not a question of right as between one man and another individually, but of what was best for the interests of a locality. Now, he had no doubt that in past times it was a good thing that the question whether or not a licence should be granted to a house in a particular locality should be left to persons of superior education, such as Magistrates; but all that kind of paternal government became more and more unsuitable as people began to feel that they were able to discern what was best for their own interests, and to claim that they should themselves have the decision of all such questions. It was better a great deal that the power of dealing with licences should be put into the hands of those who were elected directly by the people, than that it should be left to others who, if they decided rightly, yet did not carry the people along with them in the same degree. He did not mean to say the Magistrates had discharged their duties wrongly, though he thought, to a great degree, they had shown themselves not quite aware of the real state of the case in regard to the traffic in intoxicating liquors. The Magistrates were originally entrusted with the power of granting licences distinctly on the understanding that the granting of licences should be governed by considerations of the good of the community at large; and, going back as far as 1633, it had been then distinctly declared that the Magistrates in particular cases had not been sufficiently alive to their duty, having

Sp 78



licensed a great many more public-houses then were necessary. The people knew what was good for them much better than any other class could decide. Men in their Lordships' position in life had very little idea of the strong feeling existing among the people with regard to the matter of temperance. He did not think their Lordships were aware how very many there were who were struggling, and struggling in vain, against the propensity to drink, and who would welcome any means of diminishing their temptation. It was very easy to say to a man that he could keep out of public-houses; but that was, practically, only telling him to overcome the most terrible temptation to which he could be exposed. He had seen men throw themselves upon their knees in earnest petition that something should be done to relieve them from such a terrible curse. Their Lordships could not understand such things, and it was only the people who were themselves the victims of the temptations who were fair judges of what ought to be done in removing them. A large number of drunkards would be glad to elect Boards who would diminish very much the number of public-houses in their immediate neighbourhood. It would be for the good of the whole community if such control as he asked for should be given to the people, and sooner or later it must be given. He believed their Lordships would find that the proposal now made was free from any real danger. He proposed that these Licensing Boards should have precisely the same licensing powers as the Magistrates had now, and be subject to the same restrictions as would be put upon Magistrates by such a Bill if the Magistrates still remained the licensing power. He proposed that those who were to elect the Boards should be the ordinary electors who voted for Members of Parliament. If these electors were trusted to choose a Legislature for the whole country, it was not very much to entrust them with the election of these Boards. He did not propose to interfere with the Sessional Divisions existing at present. The Boards were to be elected for three years. They would have precisely the same powers and duties as the Licensing Justices had now, and would have their regular Sessions, at which they would have to decide the questions that

came before them, and see that the business was kept on a proper footing. All licences would be granted by them alone. The licences now granted by the Commissioners of Inland Revenue would not be granted in future, except after they had been sanctioned by the Licensing Board. The Licensing Board would decide whether the licence should be granted or not, and then the Excise licence would be grantable if the Commissioners of Inland Revenue saw fit to grant it. It was proposed that five years after the passing of the Act a new state of things should begin. It was proposed to restrict the kinds of licences to five—first, ordinary publicans' licences to sell by retail both off and on the premises; secondly, refreshment-house licences to sell wine and beer to be consumed in those houses by persons taking meals there; thirdly, off-licences to sell wine and beer not to be consumed on the premises; fourthly, hotel licences to be granted in regard to persons lodging or taking meals therein; and, lastly, special licences for railway refreshment rooms. The Licensing Boards would be empowered to receive evidence, and would be subject in all these matters to the same provisions as the Licensing Justices were under the Ale House Act of 1828 and subsequent Acts. At the end of five years there would be a reduction in the number of public-houses. That was the second most important article in the Bill. It was proposed that at the end of five years places, exclusive of hotels and railway refreshment-rooms, should be limited to one for every 1,000 of the urban population, and one for 600 of the rural population. Between the passing of the Act and the end of five years the Licensing Boards would be required to refuse the renewal of so many licences in each succeeding year as to bring down the whole number to what he had stated. In the first year a fifth of the number of houses to be closed would be suppressed, in the second year another fifth, in the third year a third fifth, in the fourth year a fourth fifth, and in the fifth year the remainder. It was proposed that in each case there should be given to the holders of licences so suppressed compensation calculated upon three years' net profit of the house. That compensation was to be paid by those who still retained

their licences, and who would thus, in effect, buy out their competitors in the trade. Compensation was to be paid in all cases of suppression, except when the licences were suppressed on the ground that the house was disorderly or in any way misconducted. It was not contended that this was the only mode of compensation, or that it was of necessity the right amount of compensation. There might be considerable difference of opinion on these points; but the promoters of the Bill were agreed that the compensation, whatever it might be, should come out of the pockets of those whose licences were renewed—that the trade should be compelled to purchase out those who were to leave the trade. In order that justice might be done between those who would have to give up the trade and those who would remain in it, it was proposed that the compensation should be provided in this way—that every holder of a licence should be compelled to make a statement of his net profits of the preceding three years, so that if a man put himself down at too little, and his house was suppressed, that would be the measure of his claim; whilst if his house was not suppressed and he had put himself down at too much, that would be the measure of his taxation towards the suppression of the other houses. He believed that this arrangement would work very effectively, and that it would be found to be a just basis to proceed upon. There might be special cases in which some hardship, some possible injustice, might be done, and the Bill provided that such cases should be dealt with by arbitration—that an arbitrator should be appointed to decide whether a man had or had not sent in a claim for too much or too little. In his opinion this was a just and adequate amount of compensation; but if the members of the trade thought there was a better mode they could propose it. Provided that the compensation was paid by those whose houses were not suppressed, the point did not much concern the country at large. He knew that a great deal might be said on this matter of compensation. When he introduced the Bill he said that he thought the licence-holders were entitled to some compensation, because they were carrying on a trade which was and had been long sanctioned by the law, but that they

had no claim to high compensation. This claim to compensation was very seriously interfered with by the fact that it could not be said that the members of the trade really observed the law. The law required that intoxicating drink should not be supplied to a man who, to all appearances, had already had enough; and it would undoubtedly be a strong objection to the renewal of a man's licence if it was known and proved that, time after time, persons left his house in an intoxicated state. The law put upon the licence-holder the duty of seeing that his trade was not doing the dreadful mischief which it was in fact now doing. He was ready at once to admit that it was a difficult duty to discharge. He was told it was often hard to tell when a man was nearly tipsy, for a regular toper acquired a certain power of appearing perfectly sober, but on leaving the public-house would fall down in the street and be unable to get up again; and publicans complained it was very hard that they should be looked upon as not observing the law because these people would make themselves drunk. No doubt, it was often difficult to perceive when a man had had enough to drink; but if the licence-holder knew for certain that, whenever it was proved that three men had left his house in an intoxicated condition he would at once forfeit his licence, he would soon be able to find out when a man had had enough or was intoxicated. Moreover, the trade was a very profitable one; the granting of a licence at once enhanced the value of a house, and they had all the more right, therefore, to insist that the licence-holder should discharge the duties the law imposed upon him. They wanted places for the sale of intoxicating liquors which would not manufacture drunkards by the hundred thousand. If they could only get such places there would be no reason why they should interfere with the liquor trade any longer; but, as things stood, there was this perpetual sequel to the granting of licences, that a large proportion of drunkards followed. It should be borne in mind, in reference to compensation, that the trade made its large profits by really running counter to the spirit of the law, and doing that which the law had endeavoured by every possible means to prevent. The reduction in the number of public-houses under the Bill would be complete at the end of

five years. He supposed there was no point on which those who had studied the matter were more completely unanimous than on the need there was for the reduction in the number of public-houses. For his own part, he did not believe that the reduction in the number of houses would be a panacea—that it would altogether stop drunkenness, or that, in certain places, it would very much interfere with it. But he was sure of this—that, taking the country as a whole, a diminution of the temptation would very much reduce the number of those who were victims to it. The present state of things seemed to him to be scandalous. The labouring man could not take a walk into the country without being brought face to face with the temptation on every hand. He felt the strongest sympathy with the women who so often told him they would be able to keep their husbands sober if it were not for the number of public-houses in their way. If a man was fighting the battle against the temptation to drink, it was very hard and cruel that his victory over himself should be made impossible by the temptation being perpetually placed in his way. He believed, therefore, that if they could largely reduce the temptations to drink they would largely reduce the amount of intoxication. It was proposed that at the end of five years licences should not be granted except to the holders of houses of a certain value. The small houses were responsible for a great proportion of the mischief that was now done. Many of them were in back streets, and less under the observation of the police than the larger establishments. They manufactured drunkards by the score, and it would be well if their numbers were reduced. Clause 14 proposed to put an end to the system of granting licences to people who carried on another business besides that in respect of which the licence was asked for. The sale of tobacco would, however, be excepted from the operation of the clause. The existing system enabled a great many people to obtain intoxicating liquor under the pretence of going to a shop for quite another purpose. The promoters of the Bill did not feel that they could separate the sale of tobacco from the sale of intoxicating liquors, and he did not think much would be gained

*The Bishop of London*

were the separation effected. But they certainly thought it would be a great gain to get rid of the union of two businesses, one of which was the sale of intoxicating liquors, which people were enabled to obtain when apparently transacting other business conducted on the premises. It was a well-known fact that the number of women convicted of drunkenness had certainly been increasing for some time past.

THE EARL OF KIMBERLEY : Where are the statistics ? I never saw them.

THE BISHOP OF LONDON said, they were published some little time ago.

THE EARL OF KIMBERLEY : What are they founded upon ?

THE BISHOP OF LONDON said, they were founded upon Reports of the Magistrates. He could procure them for the noble Earl.

THE EARL OF KIMBERLEY : I should like to see them.

THE BISHOP OF LONDON said, that women, it was well known, were largely tempted to drink by the facilities which existed for obtaining liquor without any publicity. The Licensing Boards would have full power to make all such orders as were now made by the Magistrates with respect to the hours during which public-houses should remain closed. The Boards would be allowed to sanction the opening of public-houses on Sunday ; but unless such sanction were given the premises would remain shut. It was difficult to over-estimate the mischief that was now done by the Sunday trade, Sunday being the holiday of the working man, when he was specially tempted to drink. Occasional licences and special exemptions would also be in the hands of the Licensing Boards. He did not think that Magistrates had always done the right thing when they had granted occasional exemptions. He remembered an occasion when he consecrated a church at 11 o'clock in the morning, and, by the permission of the Magistrates, the public-houses remained open on that occasion until 11 o'clock at night. That, he thought, was a strange sort of sequel to the consecration of a church. Dancing, singing, and music licences would be under the control of the same Licensing Boards ; and they were not to grant such licences, except on special occasions, to the holders of licences for the sale of

intoxicating liquors. It was proposed that Inspectors should be appointed by the Licensing Boards, to whom would be entrusted the supervision of licensed premises. As long as the duty of supervision was imposed upon the police it could not be thoroughly performed, for they had too many other things to do. He could not say that the law was at present enforced by the police, nor could it be really expected. In reference to whether a house was misconducted or not, the police standard was the ordinary character of the public-houses of the place, and if one was worse than the rest they reported it as a badly-conducted house. In short, they picked out the worst cases; and it seemed natural that should be their view of the matter—not to bring the houses up to the level of the law, but only up to the level of the average condition of the public-houses in the place. The Inspectors, on the other hand, having nothing else to do, would be able to pay surprise visits, and to look in at all times, and thus the law would be much better enforced than at present. The third part of the Bill dealt with the registration of clubs. Clubs which were nothing else than drinking clubs were very numerous in London. He knew one such club which numbered 1,000 members or more, and which called itself a Radical club, although, in reality, it was not political at all. These clubs were very difficult to deal with; yet more drink was consumed in them than in public-houses. They were not under the jurisdiction of the Magistrates; they had no licences to lose; their hours were not restricted; and they were in no peril if they were conducted in a disorderly manner, unless the disorder amounted to an undoubted breach of the peace. The proposal in the Bill was that all clubs, those in Pall Mall as well as those in less fashionable neighbourhoods, should be registered, and should pay fees for their registration. Power would be given to the police to enter any club which they had reason to believe was carried on simply as a drinking club, and to charge the members found on the premises and the owner of the house before a Magistrate. That was a question strictly of law, and the promoters of the Bill did not propose to leave it to the Licensing Boards to decide whether or not in a particular

case one person or any number of persons had broken the law. Those matters must go to the Magistrates, like all other breaches of the law. Judging from what had come to his knowledge since he had begun to study this subject 20 years ago, he felt confident that this Bill, although, of course, it could not prevent drunkenness altogether, would largely diminish it. He believed that it would save many a home from terrible sufferings, many a wife from brutal treatment, and many an unfortunate husband and children where the wife was herself addicted to drink. The Bill would save many children from being brought up without proper food and clothing, and not only without proper education, but with an education of the very worst kind. It would not stop drunkenness; that could not be done by any legislation; but much could be done to diminish the temptations to drunkenness; and it was quite certain that, as they diminished the temptation, so would they also diminish intoxication and all the consequences that flowed from it. He moved that the Bill be read a second time.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Bishop of London.*)

THE EARL OF MEATH hoped that their Lordships would grant a Second Reading to the Bill. He had been brought into close contact with a good many of the working classes; and while in the Diplomatic Service in early life it had been his duty to make inquiries with reference to the condition of the working classes in France and also in Germany. The remark which a person was always disposed to make on returning to this country from abroad was in reference to the degraded condition in which many of the working classes of this country were to be found. He had a great respect for the working classes of this country; he knew them well, and he maintained that they displayed virtues superior to those of a similar class in other countries. There was about them a judicial temper, a perseverance, a patience and fortitude under trials and difficulties, a calmness of temper which were not always to be seen among the working classes of other countries. There were, however, a certain number of working men who were very subject to this temptation of drink, and the

result was that the public saw among them these degraded specimens of humanity in larger numbers than they ought to be seen. There was, therefore, a necessity for doing something to diminish drunkenness, and he did not think that a more moderate or a better Bill could be introduced than the present measure. He believed that many Justices would be only too thankful if the disagreeable duty of licensing public-houses were taken out of their hands. According to the Bill, Boards would be elected on democratic principles, and it would be left to them to decide what should be done in this difficult matter of licensing. He did not think much fault could be found with the reduction of public-houses, nor to the gradual way in which the reduction was to be accomplished. He also thought that publicans had a right to some compensation, and he was glad to see that the question of arbitration had been provided for. One of the most important parts of the Bill was the clause dealing with drinking clubs. In the factories in the Metropolis an enormous number of girls belonged to what they called drinking clubs. These were clubs without premises, but the girls strove out of their miserable pittance to meet periodically for drinking purposes. Subscriptions were collected weekly, and at stated intervals in the course of a year they met in a public-house, having, at the same time, the privilege of inviting some male friends to join them. The consequences, of course, were terrible to contemplate. If anything could be done to put an end to the existence of such clubs, he, for one, would be very pleased. On these grounds he hoped their Lordships would give serious consideration to the Bill introduced by the right rev. Prelate.

LORD ROOKWOOD said, he opposed the Second Reading with considerable diffidence, as a recent Member of their Lordships' House. From his not slight experience in this particular question in past years, he did not believe that their Lordships could accomplish the objects aimed at by a measure of this kind. The more he had seen of these attempts to make people sober by Act of Parliament, the more convinced he was that they ought to look for a remedy rather to increased education among the community than to such a proposal as this.

*The Earl of Meath*

As education spread, he believed that a better feeling would be engendered among the working classes upon the question of temperance, and they would be enabled to gradually win the people away from vicious habits in this direction. The right rev. Prelate proposed to abolish the present Licensing Authority, because he believed that the Magistrates in the past had not exercised their discretion wisely or well. He could speak from some experience on this subject. He had sat on Licensing Boards of Magistrates, and he had seen the question dealt with for many years; and whatever laxity there might have been in the administration by the Magistrates in licensing questions in former days, at all events since the recent legislation on this subject, and certainly since 1872, their action had been infinitely more strict and absolutely fair. In his own county (Essex) the number of licences had hardly been, if even at all, increased during the past seven or eight years. The Magistrates had availed themselves of the section in the Act of 1872 or 1874 (he was not sure which) enabling them to remove licences from a crowded district to a district where licences were wanted to meet the growth of the population. One of the principal objections to this Bill was that it entailed an enormous cost of administration, because the elections of the Licensing Boards were to be carried out with all the expense and formality of a Parliamentary election; while another evil would be that the elections would be made the battleground of the temperance and publican parties, and the results would not be, perhaps, altogether satisfactory to the former. Again, if by this system uncertainty was to be allowed to attach to public-houses the condition and status of the public-houses would be deteriorated. They had also to consider not only the immense cost of the election, but the payment of clerks and officials of the Boards; and he believed that the ratepayers would suffer considerably. In the case of a rural district with three public-houses in it, the Licensing Board might do away with two of them, leaving the whole local trade to one house; and of course the profits must be excessive if the person keeping it had to bear the burden of extinguishing the other two. The present law made adequate provision

for the precautions necessary in the granting of occasional licences; but the delay that would be involved in adopting the machinery of the Bill was incompatible with the suddenness with which these licences were often required. Nor did he believe there would be any more efficiency in the proposed appointment of Inspectors than there was in the present inspection by the police. The right rev. Prelate had stated that he believed the police acted upon some general principle without visits or examination of the houses; but that was certainly not the case. In his own division the visits of policemen in plain clothes had just secured convictions in several cases where houses were improperly conducted. He saw enormous difficulties in the working of the Bill, and did not believe it would accomplish the objects the right rev. Prelate had in view. Whilst all their Lordships, he was sure, were as anxious as the right rev. Prelate for the progress of temperance, and to see the licensed victuallers' trade carried on legitimately and properly, he did not believe that the kind of tinkering, grandmotherly legislation so much in vogue at the present time could be so effectual for good as the influences to which he had already alluded.

\***LORD NORTON** must support what had been said by Lord Rookwood. Sorry as he was to oppose a measure introduced by the right rev. Prelate, he could not see his way to support the Bill. He objected, in the first place, to dealing with this subject by a sort of rule of three. The Bill embodied a most arbitrary plan for the reduction of the number of public-houses by fifths in successive years, irrespective of the legitimate demand, or changes that might go on in population. That was not a proper method of adjusting supply to useful demand and maintaining their due relation. What would be thought if it were proposed to fix the number of bakers' or butchers' shops in any district for a definite period? If a plan could be devised that would be self-acting, and which would, in working, correct its own errors, such a plan might enable them to attain the object in view. The way seemed to be to decree the forfeiture of licences on a certain number of convictions for permitting disorder, riot, and drunkenness on the premises, or for the adulteration of

liquor. In that way abuses could be checked and supply brought down to the proper demand. That was the right way to treat the subject, in his opinion, having had a good many years' experience in dealing with it. One chief source of difficulty was the influential position occupied by the owners of many of these houses. It was not the little houses that were the difficulty so much as the tied houses belonging to great brewers. As a Licensing Authority, the Magistrates, who were independent and had regard only to the public interests, were superior to an elected Board, which would be exposed to a greater diversity of influences, including that of the competition between the vested interests in different public-houses. The plan proposed had been tried at Liverpool some years ago under a Private Act, and many of the principal Magistrates there considered it a misfortune that that Act was not made more effective. If, on the other hand, any particular body were to have the power of saying how many public-houses were wanted in a particular place, surely the Magistrates were best fitted to form a judgment. It seemed to some as if they must do everything nowadays by popular election; but he thought there could not be a worse mode of creating a Licensing Authority. It was a sort of Local Option submitting a large minority to arbitrary restriction. The ballot was to decide how much drunkenness there was to be in any place. It would be far better to retain the present machinery, and make it absolutely certain that the renewal of a licence depended upon a house being well-conducted. The very worst mode of dealing with the subject was by an elective body with all its caprice, and its useless attendant expense. As Mr. Bright used to say—

"We have gone too far in this elective system. He could never go to Birmingham without seeing 'Vote for' so-and-so placarded all over the walls, in reference to some election or other."

Another difficulty in the Bill was the proposed compensation. A more extraordinary proposal he had never heard than that those persons who had conducted their houses well should be taxed to compensate others who had managed theirs badly. He was sorry to vote against any measure with so good an object, and more especially one intro-

duced by the right rev. Prelate; but he must support his noble Friend (Lord Rookwood) in opposing the Second Reading of this Bill.

THE EARL OF KIMBERLEY: My Lords, I cannot say that I am specially enamoured of this Bill as proposed by the right rev. Prelate, though I find in it one principle which does meet with my approval—namely, the principle of popular control. The noble Lord who has just spoken has, I think, a little confounded this Bill with another measure. He spoke of local option being given by it. I have a notion that that is a property belonging to this side of the House, and that my noble Friend is not quite justified in transferring it to the Bill now under consideration. The Bill, of course, introduces a certain kind of popular control by the election of Licensing Boards, who are to have the powers which the Magistrates now have. But what I would point out is this. I do not know whether the right rev. Prelate is a partizan of what is called local option; but if he has any objection to that system, I would suggest whether as great evils might not arise under the Bill in connection with this system in the opinion of those opposed to local option as under any other system. And my reason is that the Bill would provide every three years a contest probably in every district in the country on the subject of the election of the Commissioners. Now, the scheme of local option would probably only be taken advantage of in localities where there happened to be a very strong feeling on the subject; but in this case there would be an election throughout the country every three years. Her Majesty's Government are in favour of some form of popular control; but this Bill would not avoid all the evils connected with popular control, as well as securing the advantages which may be supposed by the right rev. Prelate. Of course, there are disadvantages as well as advantages connected more or less with any system. There is another portion of the Bill to which I could not give my assent—namely, the principle of compensation. Independently of the principle of compensation, the noble Lord who spoke last but one—and who understands the question as well as any noble Lord in this House (Lord Rookwood)—pointed out very clearly how very inequitably

the system of compensation would work. Public-houses whose licences are to be retained are to be taxed with a Licence Duty in order to provide compensation for those houses whose licences are abolished. Well, just consider what might happen. There might be a public-house; whose licence was retained five or six miles away from any other public-house; and the principle upon which the Bill proceeds is that, inasmuch as the value of the houses which remain would be largely increased by the diminution of the number, it is fair they should pay in proportion; but it seems to me there would be instances in which diminution in a particular district would not at all increase the value of those which remained. I mention this to show how the principle of compensation, which seems at first sight to have something attractive in it, would be found extremely difficult to work when it had to be put in force. Then another part of the Bill embodies a principle which is very dear to those who wish to diminish the consumption of intoxicating liquor. It is a violent onslaught on grocers' licences. Of course, one quite expected to hear from the right rev. Prelate that there are statistics to prove that there is a large increase of drunkenness among women, and that this is due to grocers' licences in particular; but I doubt whether it would be possible to prove such assertions before a Select Committee of your Lordships any more than it was proved before the last Committee upon the subject, of which I had the honour to be a Member. I remember the evidence well, and how completely it broke down in fixing upon this particular kind of licences the alleged increase of drunkenness among women. I have no doubt there is drunkenness connected with that form of licence, but I doubt whether these licences promote drunkenness more than the others. Your Lordships will remember it was stated in their favour that it was most undesirable that a person requiring, perhaps, a bottle of brandy for cooking purposes, or with any other harmless object, should be compelled to go to a public-house for it, which it was thought likely to lead to habits of drinking, and that it would be much better to afford facilities for procuring such articles elsewhere. I mention that, because I know it is assumed

that these grocers' licences are the worst form of licences. I may also point out, as a matter of detail, that, under the provision that a publican is to sell nothing but "liquor and tobacco," he would be unable to sell soda water or a so-called temperance beverage which I once tasted called ginger ale. All these things publicans would be prohibited from selling under this Bill. Then I would ask the right rev. Prelate, supposing in any district there was a strong feeling in favour of the abolition of all licences, and supposing a Board elected, on which there was a majority in favour of granting no further licences whatever, how, in that case, the system of compensation would work, because there would be no public-houses left on which compensation could be levied? On that and other points the Bill would certainly require careful consideration and considerable amendment and alteration. If it is to be persevered in, I should feel myself compelled to give my vote for the Second Reading, because I am, as I have said, in favour of the principle of popular control embodied in it; but I do not desire to be considered as otherwise approving of it.

**\*THE MARQUESS OF SALISBURY:** The last observation of the noble Earl forces me to say a few words. I am more consistent in my principles than the noble Earl. I object very strongly to the Bill, and I mean to vote against it. Among other reasons is one which I confess it seems to me ought to have forced itself upon the attention of the noble Earl. It does not seem to me when on a great question of public policy the Government have announced and introduced a Bill of their own, covering the whole field of the subject, that a private Member in the other House of Parliament should introduce a Bill on a totally different plan to that of the measure which the Government have introduced. That alone, if there were no other reason, would induce me to vote against this Bill. But I object to the whole of this legislation. I believe it is adopting a wrong remedy for an evil we all deplore, and that it is ignoring the natural remedy which the progress of education and civilisation is producing. The right rev. Prelate dwelt in eloquent language—and repeatedly—over and over again—upon the different position

of our classes and that of the working classes in this matter. He pointed out to us repeatedly that we were not exposed to any of the temptations which the working classes had to undergo, and, therefore, could not judge of their feelings. I wonder it did not occur to the right rev. Prelate, while discoursing in this manner, that three or four generations back every man who heard him, if he had then been speaking in this House, would have been exposed to those temptations and would probably have yielded to them. I do not say that matters are so far better now that the vice of drunkenness does not exist in the middle and upper classes; but I say the change has been enormous. The reformation has been so great and so rapid that we have a right to conclude that it will go forward, even with an accelerated pace, and we have a right to believe that the other members of the community who are like to us in everything else, except that they have not had the same opportunities of education and enlightenment which by accident the upper and middle classes have had, but which under the changed circumstances of the age they are rapidly gaining—we have a right to believe that on them the same beneficent influences will operate in the same way as they have operated upon the upper and middle classes, and that the natural, wholesome, and only real remedy for this great evil will accomplish itself in the days of our children, if not in our own, and that education and enlightenment will drive away this which is really a barbaric vice. I think, therefore, the right rev. Prelate is attacking the evil in the wrong way. The Bill itself, in its details, could be riddled again and again by criticism. I should not think it worth while to go much into those details. I think the form of compensation is a deplorable device to be introduced into a proposed Act of Parliament. If all public-houses were in the same street there would be some reason for saying that one must benefit by the suppression of another; but if they are scattered, as they are in country districts at distances of two or three miles from each other, the proposal verges on the ludicrous. We all know what the result would be. No compensation could be obtained out of the wretched remnants which would be



spared, but that the luckless ratepayers would have to pay it all. There is one part of the Bill to which much allusion has not been made—the part which deals with clubs. I do not know whether it occurred to the right rev. Prelate, when he was dealing with clubs, that there are other clubs in the world besides these drinking clubs to which he objects so much. If he walks down Pall Mall his conscience will smite him, I think, with the havoc he is going to cause. All those clubs will be subjected to a perfectly prohibitory tax, and, as far as I can make out, they will have a series of rules imposed upon them which most of them will utterly reject. One curious provision to which the noble Lord (the Earl of Meath) referred I think deserves the attention of the House. It appears there are young ladies, engaged in the very honourable pursuit of providing for their own living by their industry, who like to meet occasionally, and to indulge in the consumption of what the right rev. Prelate calls intoxicating liquors. He appears to look upon this as a fearful crime. I am inclined to ask—Why should not they? I understand that what we object to is excess in drinking intoxicating liquors. I do not understand that anybody has yet had the boldness frankly to get up in this House, and say he thinks it right to exterminate the consumption of what I have heard described in this House by the most rev. Prelate the Archbishop, and very properly, as a food. But what does the right rev. Prelate propose to do? He proposes to enact that any association, the principal or only object of which is to supply intoxicating liquors to its members, shall be an illegal association; and any Justice of the Peace who thinks that one of these men thus associating has intoxicating liquor in his cellar may issue a search warrant, cause his house to be broken into, and if the liquor is discovered subject him to a penalty. I think I have heard of one gentleman combining sometimes with another to purchase a pipe of port or a butt of sherry. That would be an illegal association, and the moment the butt of sherry arrives the search warrant may issue, the doors of the cellar may be broken open, and the butt of sherry may be taken out and sold. I really think that is going too far; and I would point out that this is not merely an absurd provi-

sion, but it is the introduction of a very dangerous principle—it is an invasion of personal freedom of a very dangerous character. When the right rev. Prelate comes before us and tells us he is trying to prevent excess in the consumption of intoxicating liquors, though we may think his methods injudicious, we all sympathise deeply with his motive and intention; but when he comes before us and tells us he objects to the consumption of alcoholic liquors altogether, and wishes in certain cases to absolutely prevent that consumption, he is then guilty of nothing else than ethical persecution. Many centuries ago excellent men in the position of the right rev. Prelate thought that the holding of certain dogmas was pernicious in the most deadly degree to the interests of those who held them, and they held that with a belief quite as intense as that which the right rev. Prelate applies to the consumption of intoxicating liquors. That we all now denounce as dogmatic persecution, and we believe ourselves to have so far gone forward in the progress of the world that it is utterly impossible we should ever be afflicted with that tendency again. But this seems to me the same human weakness coming out in another form. The right rev. Prelate must be aware, however strongly he may feel that the consumption of any intoxicating liquors is bad, that that view is peculiar to a small section of the community; that it is not the belief of the community or of any large part of the community; and to attempt to impose it by legislative machinery, by the action of penalties upon those who differ with him, seems to me to belong in class to the same action as that which in past time tried to impose dogmatic theology by force. I hope that, at all events, we shall avoid straying into that field. If we can devise means of stopping the excessive consumption of liquor, by all means let us do it. I do not believe that the way is to be found in the enactment of Acts of Parliament. But I heartily sympathise with all who try to grapple with the evil, and wish them God-speed. But I would say to those who try to force views of their own upon the community as a matter of indispensable necessity in the public interest that they are introducing a dangerous principle to the Statute Book

—a principle which will go much farther and do great harm to the community. I cannot agree with the noble Earl opposite in wishing to bring in popular control in these matters, and for this reason, among others: that if you once raise the question of freedom against the question of temperance—I am quoting the celebrated aphorism of the late Bishop of Peterborough—you will do temperance a far greater injury than the efforts of all the temperance reformers for many generations will be able to undo. If we once get to having elections in our parishes upon the question whether public-houses are to remain open or not, I think you will find the opposition to restriction much stronger than you suppose; that the Act will nowhere be brought into force; that a very powerful obstruction to the progress of temperance will have been erected, and that, in many instances, a great and deep gulf will have been dug between the sympathies of the laity and the sympathies of their spiritual guides.

\*THE BISHOP OF LONDON said, he would not put the House to the trouble of dividing upon the Second Reading, for it would simply mean their Lordships walking out of the House and in again. After what had been said, it was perfectly clear on which side the majority of opinion lay, and he would, therefore, simply allow the Motion to be negatived.

Resolved in the negative.

COUNTY SURVEYORS (IRELAND) BILL  
[H.L.].—(No. 86.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD MONTEAGLE moved the Second Reading of this Bill in the absence of Lord Emly. It was a measure of a very simple character, and he need not detain their Lordships many moments in explaining it. By the County Surveyors Act, 1861, the counties in Ireland were scheduled for the purpose of appointing county surveyors. Some were scheduled in two or more divisions. Where counties were scheduled as a whole, power was given to the Lord Lieutenant to appoint one or more surveyors in those counties; but where the counties were scheduled in two or more divisions, there was no corre-

sponding power given to the Lord Lieutenant to unite them. It was obvious that circumstances might arise which would render it necessary that counties which were divided under the Act of 1861 should be united. As a matter of fact, circumstances had arisen in the County of Limerick, with which he was connected, which had induced the Grand Jury to memorialise the Lord Lieutenant to have that county united under one surveyor; but they had been told that that could not be done without legislative sanction by a fresh Act of Parliament. This Bill, therefore, was intended to get over the difficulty. That was its sole object, and he hoped their Lordships would have no hesitation in voting for the Second Reading.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Monteagle.*)

LORD ACTON said, the Bill was very limited in its scope, and was, in the view of the Government, very reasonable in its aims. They would, therefore, agree to the Second Reading. He would not pledge himself as regarded Amendments in Committee, and would, therefore, be glad if the noble Lord would be good enough to postpone the further stage of the Bill for a short time.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday, the 30th instant.

PUBLIC LIBRARIES ACT (1892) AMENDMENT BILL.—(No. 25.)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3<sup>a</sup>."  
—(*The Viscount Cross.*)

THE EARL OF WEMYSS moved that the Bill be read a third time that day six months. His reason for doing so was that, though the Bill contained a really important principle, it had passed through the other House without a word, and, so far, through their Lordships' House almost without a word; but he thought that principle should not go unchallenged. Some discussion took place the other day as to what was the fundamental principle of a Bill which the occupants of the Treasury Bench were going to support in another

place, and they had great difficulty in getting at that fundamental principle, though it appeared to most of their Lordships that it was the enunciation of a no rent policy. Here, however, there was no difficulty in getting at the fundamental principle of this Bill before them. It was of the simplest—namely, to transfer the power in these matters from the ratepayers to the Urban Authority. Hitherto, through the whole course of legislation on the question this principle had run: that the ratepayers were to have a voice in setting up Public Libraries. But now it was proposed to take the decision of this question out of their hands, and to place the responsibility upon the Urban Authority, who, it was alleged, would represent the ratepayers. And this was done at a time when books were so cheap. Scott's novels could be now bought for 3d. Thackeray's, Kingsley's, Dickens', and Lytton's for 4½d.; and Shakespeare's plays for 1d. each. That was the cost of literature at the present time; but Parliament had thought it right that these Public Libraries should be promoted at the expense of the poor ratepayers, and that suitable buildings for that purpose should be erected for, as it was supposed, the recreation of the mass of the people. The attendance in these libraries was only 1 per cent. of the population of the towns where they were established; and as to the class frequenting them to a large extent, the Librarian at Birmingham said that—

"No considerations of delicacy seemed to deter the poor tramp from using not only the news-room, but the seats in the Reference Library; the building is also used for betting purposes and by travelling bagmen, who discussed their bargains and showed their samples there."

As regarded cost again, at Newcastle £23,000 debt had been incurred, and the expenditure was £5,000 a year. Clearly, therefore, they weighed heavily on the ratepayers. It was urged that the present process of obtaining the ratepayers' votes was cumbrous and costly. No doubt, it was not so simple as the fiat of a Municipal Authority, which simply said—"Let there be a library," and the library was there. As to the representation argument, that might apply, perhaps, after the next election, and meanwhile the Urban Authorities would be able to establish libraries wherever they

pleased. There were many towns in which the ratepayers had decided, in some cases by large majorities, that no Public Library should be erected—among others, Marylebone, West Cowes, Gloucester, Taunton, Weymouth, Paddington, and Islington. If the Bill became law, it would be possible for the Urban Authority to decide in favour of the erection of a Public Library when the majority of the ratepayers were opposed to it and had no power to interfere. He thought a tendency prevailed to throw too much power into the hands of Municipal Bodies. He opposed the Bill in the interests of the ratepayers. All he wanted was that, as heretofore, the ratepayers should have a voice in the expenditure of their own money in this provision of a luxury at the best for literary men. He hoped the ratepayers would rise and protest against the burden it was sought to impose upon them. They were told it was only a matter of a penny, but these pennies were rapidly accumulating, and were becoming the last straws on the back of that patient beast of burden—the ratepayer. A time might come when that poor over-burdened beast would put out his fore-feet firmly, refuse to travel one inch further on this weary rating road along which he was being driven, and throw off entirely the load sought to be placed upon him. If we did not take care, we should become in this country one of the most State and Municipality-ridden people in existence.

Amendment moved, to leave out ("now,") and add at the end of the Motion ("this day six months").—(*The Earl of Wemyss.*)

VISCOUNT CROSS: I am sorry to see the noble Earl revelling and glorying in the number of places which have refused to adopt the Public Libraries Act. I think that, quite apart from this Bill, it is agreed by everyone that the establishment of Public Libraries where they are wanted is a good and useful thing. The noble Earl would have known, if he had had any wide experience of Public Libraries, that not only literary persons attend them, but working men in large numbers, and that these men highly appreciate the advantages afforded by them. It is too late to raise the question whether there should be Public Libraries or not; that

has been settled, and it is admitted on all hands that the libraries are most useful institutions, and are of great benefit to the working classes, who in their work-day clothes attend them regularly and derive great enjoyment from reading—

THE EARL OF WEMYSS: Novels.

VISCOUNT CROSS: The noble Earl will hardly deny that these libraries are admitted to be of great public benefit. The number of people who go to them is much greater in proportion to the population than the noble Earl thinks. The noble Earl objects to the Bill because it proposes to take the power of deciding on the erection of a library from the ratepayers directly, and to place it on the ratepayers' representatives. The present mode of starting a Public Library is very cumbrous and expensive. The Bill will effect an improvement in these respects; and if the representatives of the ratepayers are not to be trusted in such a matter as this, they are not to be trusted at all. The names of men of all Parties are on the back of the Bill, and your Lordships will, I am sure, agree that it ought to be passed for the benefit of the people. I think hardly ever has a Bill been brought in with such general consent, and I hope your Lordships will now give it a Third Reading.

THE EARL OF WEMYSS asked the noble Viscount whether he would have any objection to insert a proviso to the effect that the Bill should not come into operation until after the next election of the Urban Authorities?

VISCOUNT CROSS: I should have the very strongest objection to putting that in. The ratepayers have chosen their representatives, and surely they can be trusted in such a matter as this.

THE EARL OF WEMYSS: Not at the present moment.

VISCOUNT CROSS: I may remind the noble Lord that it was laid down by the Lord Chancellor three or four days ago that it is extremely inconvenient and unusual on the Third Reading of Bills to propose Amendments notice of which have not been given.

On Question, whether ("now") stand part of the Motion? Resolved in the affirmative.

Bill read 3<sup>a</sup> accordingly, with the Amendments; a further Amendment made.

Bill passed, and returned to the Commons.

#### BARBED WIRE FENCES BILL. COMMITTEE.

House in Committee (according to Order).

##### Clause 1.

\*THE MARQUESS OF WATERFORD regretted he was not present on the Second Reading, or he would have pointed out that the Bill applied to Ireland, and in the Interpretation Clause there was no provision in regard to the Local Authorities there. The phraseology of that clause and of the section following it applied entirely to England and Scotland as regarded the different Local Authorities and Courts of Summary Jurisdiction, while in Ireland the Local Authority would be the Grand Jury, the County Inspector, and the Urban Sanitary Authority. The only Body, therefore, mentioned in the Bill which could possibly deal with the question in Ireland would be the Urban Sanitary Authority. He proposed to bring forward an Amendment at the Report stage to make the Bill workable in Ireland.

\*LORD MONKSWELL had been informed by his noble Friend Lord Thring that the words referring to Courts of Summary Jurisdiction applied to Ireland. As to the expression "Local Authority" not so applying, he would see that that matter was set right. As the Bill would not come before the Standing Committee until after the Whitsuntide holidays there would be plenty of time for the noble Marquess to move in the matter.

Clause agreed to.

##### Clause 2.

\*LORD MONKSWELL moved an Amendment, in page 1, line 8, after ("in this Act") to insert—

("Highway" means any road, lane, bridleway, footpath, or any other way over which the public have rights of user").

He had drafted this Amendment in consultation with Lord Thring. It differed somewhat from the Interpretation Clause in the Highways Act of 1835, but his noble Friend thought this definition better, on the whole, for the purposes of this Bill.

Amendment moved,

In page 1, line 8, after ("in this Act") to insert ("‘Highway’ means any road, lane, bridleway, footpath, or any other way over which the public have rights of user").—(*The Lord Monkswell.*)

LORD BELPER asked whether it was desirable, where a definite technical meaning was given in one Act, to introduce a different definition in another? In Clause 4 "highways" were referred to in the ordinary meaning. He did not know what the actual difference would be, but thought some difficulty would arise if diverse meanings were given in that way.

LORD THRING explained that the reason of the Amendment was that, as a general rule, people did not understand "highways" as including footpaths. The fact that a definition was also given in the Act of 1835 was immaterial.

THE EARL OF CAMPERDOWN suggested that it would be better to introduce the word "footpath" separately after "highway."

\*LORD MONKSWELL pointed out that the Act of 1835 defined "highway" as including all roads and bridges not being county bridges. He did not see why county bridges should not be included.

LORD BALFOUR asked the noble Lord to state what other places there were in the nature of highways over which the public had rights of user besides roads, lanes, bridleways, and footpaths? It went on "or any other way."

\*THE MARQUESS OF SALISBURY : Is it very desirable to put in "footpaths" without defining them? A footpath might have become so by ordinary user and yet not be a way over which the public had actual rights, and it might in many cases be exceedingly inconvenient for farmers to be prevented putting this wire across them if necessary for the purpose of keeping in their cattle.

\*LORD MONKSWELL said, if the noble Marquess preferred "footway" he would not object, but he did not think it would make any difference. He did not think there was really anything in the point.

THE EARL OF KIMBERLEY : This only refers to footpaths over which the public have rights, and I do not think there can possibly be any mistake—a

"footpath" over which the public have rights seems to me to cover the ground.

A noble LORD said, the only difference between the meaning of "highway" in this and in the older Act was that in the latter county bridges were excluded; and they might naturally be excluded here, because they had a solid fence on either side of them. It was, therefore, unnecessary to bring them in.

LORD THRING said, county bridges were the very places they wanted to include. They certainly did not intend that county bridges should have these barbed wires put up along both sides of them.

THE EARL OF CAMPERDOWN did not understand that answer. If the noble and learned Lord wished to include bridges they already came within the ordinary definition.

\*LORD MONKSWELL pointed out that the Act said "not being county bridges." That was the difficulty.

\*LORD ASHBOURNE : It is obvious there may be great confusion caused here by making the Amendment without a thorough consideration of what the Bill is doing. The whole machinery of the Bill has reference to highways proper with a legal and statutable definition. You are saying that the Body which is to have the control under this Act is the Local Authority which at present has control over the highways. Therefore, "highways" is throughout a term of art, and if you introduce something else which has become dedicated by public user, but is not within the definition of a highway, what right has the Local Authority to meddle with it under this measure which has been called into existence suddenly? I do not say this may not be done by Amendment after due consideration; but I think it is very unwise to do it *per saltum*, for if you do, you will be handing over to the poor people who will hereafter have to work out this Bill a frightful labyrinth to make their way through.

THE EARL OF KIMBERLEY : Perhaps it would be better to postpone this matter for the present. I do not profess to have much legal knowledge in these things, and I think noble Lords who are at the same disadvantage will agree that this might be left over for Standing Committee.

**THE MARQUESS OF SALISBURY :** What should induce any human being to wish to put a barbed wire on a county bridge?

**THE EARL OF KIMBERLEY :** I am sure I do not know. I should not like to do it.

**LORD MONKSWELL** would for the present withdraw the Amendment.

Amendment (by leave of the Committee) withdrawn.

**LORD BELPER** moved, in Clause 2, page 1, line 12, to leave out ("any surveyor of highways"). He said those words appeared to be not only absolutely unnecessary, but in certain cases extremely objectionable. Every possible Authority that could have to deal with the matter was included in the other words of the clause, which ran—

"The expression 'local authority' means any county council, any urban sanitary authority, any sanitary authority in London, any highway board, any surveyor of highways, and any other local authorities existing, or that may be hereafter created by Parliament having control over highways."

There was no possible Authority, therefore, which was not included, and the only result would be to convert the surveyor of highways into an authority himself, which he certainly was not. He was only the servant of the Authority, the executive for carrying out their orders; and he had no right to be put in a position where he could act without their authority. They had, of course, to give him his authority; but under this Bill he would be able to act without it.

Amendment moved, in page 1, line 12, to leave out ("any surveyor of highways").—(*The Lord Belper.*)

**LORD MONKSWELL** believed that leaving out those words would make no difference, as there were others having the same effect as the words "surveyor of highways." Under the circumstances, he thought the Amendment had better be accepted.

\***LORD ASHBOURNE :** It is quite manifest this particular sub-section will want to be re-cast in Standing Committee. My noble Friend the Marquess of Waterford has drawn attention to the fact that, although the Bill is intended to extend to Ireland, and there are general words there big enough possibly to grasp all conceivable Local

Authorities, still we want to have in words referring to the Grand Jury. That goes to show that the whole section wants re-casting when we get to Standing Committee.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 3.

**THE EARL OF CAMPERDOWN** moved, in Clause 3, page 1, line 23, after ("is") to insert ("deemed by such local authority to be"). Those words he thought necessary for the working of the Bill. As it stood, it ran "where barbed wire was dangerous"; but what was wanted was where it was deemed by the Local Authority to be so. It was difficult, otherwise, to see how the barbed wire could be ascertained to be actually dangerous.

Amendment moved, in page 1, line 23, after ("is") to insert ("deemed by such local authority to be").—(*The Earl of Camperdown.*)

**LORD HALSBURY :** I cannot help thinking it is very desirable that this Bill, if amended, should be amended with full consideration in Standing Committee. For my own part, I should object to the introduction of those words. I do not think that the Local Authority should have the power of determining absolutely whether the barbed wire is dangerous or not.

\***LORD MONKSWELL** did not understand that that would be the effect of it. The Local Authority could not enforce the Act without the sanction of the Magistrates, and they were the last resort.

**LORD HALSBURY :** I understand the Amendment is to leave it simply to be determined by the Local Authority?

**THE MARQUESS OF WATERFORD :** At present they are unable to say that.

**THE EARL OF CAMPERDOWN** said, the object of his Amendment was very plain. The clause provided that where the barbed wire was dangerous to animals the Local Authority might serve notice, and if it were not stated "where deemed by them to be dangerous" they would have no authority to interfere, no ground for acting. They must deem it dangerous before they take action.

LORD HALSBURY : Surely this is the proper principle. The Local Authority will make the accusation against the wire, so to speak, that it is dangerous ; and then when the matter comes before the Magistrate, if he is of opinion that it is not dangerous, he will so decide.

A noble LORD said, the intention seemed to be to prevent barbed wire being put up along the roadsides, so as to be dangerous to passers-by, particularly children. When complaint was made to the owner, if he did not clear away the obstacle, the matter would be referred to the Court of Summary Jurisdiction. Surely that would meet any objection ?

THE EARL OF CAMPERDOWN : I will withdraw that Amendment.

Amendment (by leave of the Committee) withdrawn.

LORD THRING moved, in Clause 3, page 1, line 23, after ("is") insert ("liable to come in contact with") ; and in page 2, line 6, after ("is") to insert ("liable to come in contact with.") He said that "dangerous" might mean dangerous to life, and that would, in many cases, have no effect at all. What it really meant, of course, was causing injury, and the insertion of those words would show the meaning of "dangerous." The most severe injuries might be inflicted by this barbed wire, and yet it might not be dangerous to life or limb.

Amendment moved, in page 1, line 23, after ("is") to insert ("liable to come in contact with") ; and in page 2, line 6, after ("is") to insert ("liable to come in contact with").—(*The Lord Thring.*)

LORD HALSBURY : I think I suggested to the noble Lord on the Second Reading of the Bill that some words should be introduced to get rid of the difficulty. I suggested to him to add "so as to constitute a nuisance." Surely the noble Lord does not mean simply "should come in contact with." That will not do. It must be something which will wrongly constitute a nuisance to the public who are rightly using the path, and leaving out "dangerous" is leaving out the whole point of the Bill. The whole theory and justification of the Bill is that the barbed wire is dangerous ; otherwise it might be the most harmless barbed wire possible.

A noble LORD said, the Amendment would transfer the action from the animals or persons to the wire. The animal or person would now be made the actual operator by coming in contact with the wire.

THE EARL OF KIMBERLEY : There is, I think, some doubt whether "dangerous" may not be too strong, and "liable to come in contact" is, perhaps, too wide the other way. It will have to be considered whether, on the whole, "dangerous" is the right word. What is intended is if it is likely to inflict injury on a person or animal. That is the meaning of it. How to define it exactly is a thing I will not attempt offhand to say. I think this is a matter which requires a little more consideration, and it had much better be considered in Standing Committee.

Amendments (by leave of the Committee) withdrawn.

Clauses 3 and 4 agreed to.

Clause 5.

THE EARL OF CAMPERDOWN moved, in Clause 5, page 2, line 12, after ("apply") to insert ("to gates"). His object was to except gates from the operation of the Bill. Of course people naturally wished to protect them.

Amendment moved, in page 2, line 12, after ("apply") to insert ("to gates").—(*The Earl of Camperdown.*)

A noble LORD hoped their Lordships would not accept this Amendment.

LORD THRING did not know anything much more cruel than for anybody who might want to get over a gate at night to have to run the risk of these barbed wires running into them.

THE MARQUESS OF SALISBURY : I am afraid the noble and learned Lord is constituting himself the representative of a class of the community which I trust is not a large one—namely, those who wish to get over gates at night.

THE EARL OF KIMBERLEY : But really gates are places where people would be very likely indeed to come in contact with barbed wires.

THE EARL OF CAMPERDOWN : I will withdraw the Amendment.

Amendment (by leave of the Committee) withdrawn.

LORD THRING, in moving the next Amendment, said, he thought some limitation was necessary here. If no height were stated for these fences the Bill would apply to an oak fence a foot high.

Amendment moved,

In page 2, line 12, after ("fences") to insert ("being not less than six feet in height"); in line 13 to leave out ("on or"); and in line 14, to add at end of Clause ("in such manner that the barbs of the wire do not extend beyond the outward surface of the fence").—(*The Lord Thring.*)

THE EARL OF KIMBERLEY: That would be an exception in favour of people who happened to own deer-parks, and of nobody else.

\*LORD MONKSWELL said, the promoters of the Bill would have no objection to this clause of the Bill being omitted altogether.

THE MARQUESS OF SALISBURY: I would venture to suggest again that these things are much better considered in Standing Committee. I am quite sure they cannot be done properly here.

THE EARL OF KIMBERLEY: I quite agree with the noble Marquess. They cannot be dealt with conveniently by the House, and Standing Committee is much more suitable for their consideration.

LORD THRING: Then I will withdraw all my Amendments and move them in Standing Committee.

Amendments (by leave of the Committee) withdrawn.

Clause agreed to.

Bill reported to the House with Amendments; and Bill re-committed to the Standing Committee.

#### BURGH POLICE (SCOTLAND) ACT (1892)

AMENDMENT BILL.—(No. 95.)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD PLAYFAIR said, he could explain in a few words the object of this Bill. Last year an enormously bulky Act was passed containing 518 clauses, one or two of which were of a very extraordinary nature, and this Bill

VOL. XII. [FOURTH SERIES.]

was to amend them. Under that Act any seven householders could go to the Sheriff where there were more than 2,000 inhabitants and require him to declare the place a police burgh. The other householders were not consulted at all in the matter, and the place would then be taken out of the county. If the population was between 700 and 2,000 the Sheriff "might," on the application of seven householders, declare the place to be a burgh; but if it was above 2,000 the Sheriff, it was provided, "shall" so declare it. This latter provision had caused great consternation, and it was desired that it should be amended, so that when requisition was made by seven householders the Sheriff should be enabled to consult the householders generally, and obtain their consent before he declared the place a police burgh.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Playfair.*)

THE MARQUESS OF LOTHIAN entirely agreed that this was a very desirable measure, but he thought it was not quite clear what the effect would be in reference to places of under 2,000 inhabitants. Would they be in the same position as before?

LORD PLAYFAIR said, they also would come under the provision for consulting the inhabitants. As the Bill would come into operation immediately, he would put it down for the Committee stage on Monday.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Monday next.

#### REFORMATORY SCHOOLS ACTS AMENDMENT BILL [H.L.]

A Bill to amend the Acts relating to Reformatory Schools—Was presented by the Lord Norton; read 1<sup>a</sup>; and to be printed. (No. 97.)

#### ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (CHISWICK, &c.) BILL [H.L.].—(No. 53.)

Read 2<sup>a</sup> (according to Order).

2 H



LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 2) BILL.

(No. 71.)

Read 2<sup>a</sup> (according to Order), and committed to a Committee of the Whole House on Monday next.

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 77.)

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.

PILOTAGE PROVISIONAL ORDERS BILL.

(No. 75.)

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.

MILITARY LANDS (PROVISIONAL ORDERS) BILL.—(No. 74.)

House in Committee (according to Order): Bill reported without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Monday next.

HOUSE OF LORDS OFFICES.

Second Report from the Select Committee considered (according to Order), and agreed to.

DAY INDUSTRIAL SCHOOLS (SCOTLAND) BILL [H.L.].—(No. 41.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Monday next.

LAW OF DISTRESS (IRELAND) BILL. (No. 42.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Monday next.

RIVERS POLLUTION PREVENTION BILL. [H.L.].—(No. 64.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Monday next.

House adjourned at ten minutes past Seven o'clock, to Monday next  
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 12th May 1893.

QUESTIONS.

The House met at Two of the clock.

FREE EDUCATION IN CATHOLIC SCHOOLS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that at Ainsdale, a suburb of Southdale, where a demand has been made for free education, the Education Department has answered that there are free places in the Roman Catholic school, and that the children must go there; and whether he sees any way by which the conscientious objections of Protestant parents to send their children to Roman Catholic schools could be obviated?

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): With reference to this case, I have already stated twice in the House, on the 17th March, in reply to the hon. Member for Leicester, and again on the 21st March, in reply to the hon. Member for North Islington, that the Education Acts make no distinction between Roman Catholic and other schools so long as they are Public Elementary Schools, and that it is not possible, under the law as it stands, to compel the provision of further school accommodation in a district where the provision made by existing Public Elementary Schools is already sufficient.

GLASS ARTICLES AND THE PARCEL POST.

SIR J. SAVORY (Westmoreland, Appleby) (for Sir SEYMOUR KING, Hull, Central): I beg to ask the Postmaster General why it is a regulation of the Post Office that glass articles, such as bottles, cannot be forwarded abroad by pattern post; and whether such articles are sent by foreign traders from abroad to the United Kingdom by sample post; and, if so, whether he will take steps to afford to British manufacturers and traders

the same facilities which are enjoyed by their foreign competitors?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): The postal regulations of this country exclude from transmission by ordinary post any article likely to injure the contents of the mails or the officers of the Post Office. Glass bottles come within the prohibition, because, if broken in transit, as they are liable to be, they would be likely to cause injury to letters, &c., contained in the mails, and to the officers handling the mails. I would refer the hon. Member to an answer given by Mr. Raikes on the 3rd of July, 1890, in which he states the reasons, and mentions a letter which he had written on the subject, a copy of which I will send to the hon. Member if he would care to see it.

#### KILMAINHAM PRISON WARDERS.

**MR. FIELD** (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he state on what grounds the regulation is maintained that the Kilmainham Prison warders are not allowed to wear their own private clothes when off duty?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed that no difference whatever exists between the case of Kilmainham Prison warders and that of warders employed in other prisons in regard to their being required to wear their uniforms. Warders are permitted to wear their plain clothes when off duty provided reasonable grounds are shown for seeking the permission.

#### SPECIFICATIONS FOR PATENTS.

**MR. SCHWANN** (Manchester, N.): I beg to ask the President of the Board of Trade whether any fresh volumes of the abridgements of specifications for which patents have been granted are now ready or will soon be ready for distribution; when approximately these specifications will be completely abridged and indexed; and will the abridgements and indices be of such an accurate character as will enable the Patent Office to make a reliable search into the novelty of an invention, so far as prior patents are concerned, should such research into the

novelty of an invention become, at some time, the duty of the Patent Office?

**THE SECRETARY TO THE BOARD OF TRADE** (Mr. BURT, Morpeth): About 20 fresh volumes of abridgements of specifications for patents relating to the period 1877 to 1883 are now ready. The remaining volumes to complete the period (probably about 100) may be expected by October next. I trust that these volumes will facilitate a reliable search into the novelty of an invention; but whether such search will become the duty of the Patent Office is another question.

#### COMPLAINTS FROM THE INDIAN PUBLIC WORKS DEPARTMENT.

**MR. TALBOT** (Oxford University): I beg to ask the Under Secretary of State for India whether Her Majesty's Government have received complaints from members of the Indian Public Works Department of the non-fulfilment of promises made to them by former Secretaries of State; and whether any replies have been sent to such complaints?

**\*THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. GEORGE RUSSELL, North Beds.): Memorials from members of the Indian Public Works Department have been received, and the Secretary of State is in communication with the Government of India on the subjects to which they refer. In the meantime no formal reply has been sent to the memorialists.

#### THE GARVE AND ULLAPOOL RAILWAY.

**MR. WILLIAM WHITE LAW** (Perth): I beg to ask the Secretary for Scotland whether, in view of the fact that the Garve and Ullapool Railway Scheme is the only scheme at present suggested for the development of the fishing industry on the North-West Coast of Scotland, the Scotch Office will ask the Treasury for such an annual grant as is necessary for the making and working of that line?

**DR. MACGREGOR** (Inverness-shire): Before the right hon. Gentleman answers, may I ask whether he is aware that this is not the only scheme intended to develop the fisheries of the North-West Coast of Scotland, but that, on the contrary, a new line has been projected from Banavie to Mallaig by the West High-

land Railway Company, the First Reading of which has been actually taken in this House?

\*THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): I am aware that this is not the only line, though it is possible the hon. Member had in his mind that other lines were not in the North-West. In reply to the question on the Paper, it is not correct to state that the Garve and Ullapool Railway Scheme is the only scheme suggested for the development of the fishing industry on the North-West of Scotland. It is one of four. I am not at present prepared to ask the Treasury for an annual grant for the Garve and Ullapool Railway.

#### THE CLOGHER (PORTADOWN) POST OFFICE ARRANGEMENTS.

Mr. MACARTNEY (Antrim, S.): I beg to ask the Postmaster General whether the postmistress at Clogher (Portadown) has been instructed that the senior assistant is no longer to be allowed to take part in the work of the office; whether he is aware that on several occasions the senior assistant, at the instance of people using the office, has complained of carelessness and irregularity at the superior offices at Enniskillen and Portadown; what are the specific charges made against the senior assistant; have any complaints been made against her by persons who use the office largely; and if he will suspend the instruction to discontinue her services until a further inquiry has been held into the complaints made by her at the instance of the public as to the incompetence and carelessness at other superior offices?

Mr. A. MORLEY: The postmistress has been instructed no longer to permit her daughter, who acted as her assistant, to take any part in the work of the office, and has been called on to provide a competent person in her place. This decision has been arrived at because the daughter who, owing to her mother's age and infirmity, has assumed almost exclusive charge of the office, not only neglected the duties, but habitually acted in an insubordinate and unbecoming manner, and made use of offensive language on the telegraph wires. The case has been very carefully considered, and there

appears to be no reason to alter the decision.

Mr. MACARTNEY asked whether the right hon. Gentleman had seen any of the communications which had passed from the Chief Office at Portadown in answer to complaints made by persons who largely used that office of gross irregularity and the impertinent answers made by the clerks at the Portadown Office; and whether he would suspend for the present the instruction to the postmistress at Clogher until he had had an opportunity of considering the complaints which had been made of incivility on the part of the clerks at Portadown and Enniskillen?

An hon. MEMBER asked if the Postmaster General would ascertain whether the messages in question were sent by the daughter of the postmistress at Clogher?

Mr. T. W. RUSSELL (Tyrone, S.) said, that, as Clogher was in his constituency, he desired to ask if the right hon. Gentleman would suspend his decision in regard to the senior assistant at the Clogher Post Office until he had fully inquired into the matter?

Mr. A. MORLEY said, he was unable to suspend action, as the decision had been given.

Mr. MACARTNEY asked whether he was to understand that the right hon. Gentleman had not seen any of the communications in which the office at Portadown had instructed the postmistress at Clogher to suspend the senior assistant, who for 12 years had carried on the work to the entire satisfaction of everyone using the office. Was he prepared to suspend all instructions until he had made further inquiries?

Mr. A. MORLEY said, that instructions had been sent to the postmistress to suspend the senior assistant, who was her daughter. The order had been put into effect. He would ascertain whether there was any necessity for further inquiry.

\*Mr. T. W. RUSSELL pointed out that this suspension of the senior assistant amounted to the dismissal of the postmistress, for she could not afford to keep an assistant. [*Cries of "Order!"*]

Mr. MACARTNEY asked if the right hon. Gentleman would call for a copy of the correspondence between the

Clogher and Portadown Offices, which would show that the whole of this difficulty had arisen through attention being drawn to irregularities at Portadown?

\*MR. DANE (Fermanagh, N.) asked if there was any truth in the charges as to irregularities at the Enniskillen Post Office?

MR. A. MORLEY said, he was not aware of any irregularities? If the hon. Gentleman would bring any specific case under his notice he would inquire into it.

MR. MACARTNEY asked if the right hon. Gentleman would inquire whether complaint had not been made to the office at Portadown that clerks at the Enniskillen Office had guessed at telegrams, with the result that persons sending goods by train had been put to unnecessary expense?

MR. A. MORLEY said, that as he had stated, if hon. Members would supply him with information as to irregularities, he would have them inquired into.

#### ARMY MEDICAL STAFF EXAMINATIONS.

DR. KENNY (Dublin, College Green): I beg to ask the Secretary of State for War whether he is aware that the principle long in practice at examinations of the Irish Medical Licensing Bodies of having at their examinations assessors who are watchful equally of the interests of the candidates and of medical education has received the approval of the General Medical Council; whether he is aware that that body, which is the highest authority on medical education, and the recognised guardian of medical interests, has recommended its general adoption at medical examinations; whether he will recommend the Army Medical Authorities to adopt the principle at the examinations of the Army Medical Board; and whether, to give it practical effect, and at the same time to remove the feelings of apprehension, now existing in Irish and Scotch medical educational circles, of danger to the interests of their respective schools, aroused by the recent change in the system of conducting the examinations of the Army Medical Board, whereby the said examinations are entrusted entirely to four representatives of the English Colleges, he will appoint four medical assessors to assist in future at those examinations, two of whom shall be

representatives of the Irish Colleges, and two of the Scotch Colleges?

\*THE SECRETARY OF STATE FOR WAR (MR. CAMPBELL-BANNERMAN, Stirling, &c.): I am aware both of the practice in Ireland and of the recommendation of the General Medical Council that, at the final examination for admission to the medical profession, assessors should be present, and should satisfy themselves that the education of candidates has been up to the proper standard. There is no necessity for such assessors in the examination for admission to the Army Medical Staff; for the examination is merely a competition for admission to that Service between candidates who have already fully qualified as medical men.

DR. KENNY said, the right hon. Gentleman had not answered the last part of the question, as to the feeling of apprehension in Ireland and Scotland.

\*MR. CAMPBELL-BANNERMAN said, the question turned on the appointment of assessors, and he had stated that their services were not necessary in the case of admission to the Army, though they were availed of when candidates were originally admitted to the medical profession.

DR. KENNY said, that the Army examination was a competitive one, and asked whether it was not desirable to have medical assessors to prevent injustice being done?

\*MR. CAMPBELL-BANNERMAN said, that assessors were employed to see that examinations did not sink beneath a proper level—not to see that they were honest.

\*DR. KENNY: I beg pardon, but that is not so.

#### MORTALITY IN INDIA.

MR. SCHWANN: I beg to ask the Under Secretary of State for India whether the attention of the Secretary of State has been called to the excessive mortality in recent years in the North-West Provinces and Oudh, and in the Punjab, as compared with other parts of India; and whether, and, if so, what, steps have been taken to prevent the continuance of such a high mortality?

\*MR. G. RUSSELL: The figures show that, while there was a high mortality in 1890 and 1892, the death-rate in 1891 was below the average. The

mortality of 1890 was officially attributed to climatic causes. The Sanitary Reports for 1892 have not yet been received. Sanitary improvements are being pushed on throughout India as fast as the circumstances permit. It is not to be expected that any steps which may be taken will prevent a specially unhealthy season from increasing the death-rate.

#### THE DUBLIN INLAND REVENUE DEPARTMENT.

DR. KENNY: I beg to ask the Secretary to the Treasury whether he will state the constitution of the Committee which recommended the recent reorganisation of the Inland Revenue Department at Dublin; whether said reorganisation is in effect simply reverting to the arrangements which existed up to 1885; and whether he can give an assurance that Mr. MacDowell's appointment will not be made permanent, but that ultimately the Comptrollership of Stamps at Dublin will be given to some Irishman in the Service there, qualified for the post?

\*THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The recent reorganisation was made by the Treasury on the recommendation of the Commissioners of Inland Revenue. The answer to the second paragraph is in the affirmative. It would be contrary to precedent to give any such assurance as is asked for in the last paragraph, but the suggestion will be borne in mind.

#### THE CASE OF MR. R. DURNFORD.

MR. LOGAN (Leicester, Harborough): I beg to ask the hon. Member for Merionethshire if he is aware that Mr. R. Durnford, an Assistant Commissioner in the service of the Charity Commission, who recently presided at an inquiry concerning the alienation of 19 out of 30 acres of land situate at Shawell, in the county of Leicester, awarded by the Court of Chancery to the use and benefit of the poor of the parish, is represented to have written to the Rector of Shawell, congratulating him on having laid "the ghost of this agitation," and trusting that it will not rise up again to cause disturbance; whether such letter was written before the Assistant Commissioner had made his Report, on which the Charity Commissioners would pro-

bably base their decision; and if the Charity Commissioners intend to take any notice of the conduct of this official? I wish to supplement my question by asking if the hon. Member is aware that the so-called "agitation" was the efforts of the parishioners of Shawell to recover the land and restore it to the use of the people as directed by the Chancery decree of 1668?

THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire): The passage quoted in the question did occur in a letter from the Assistant Commissioner to the Rector, who has for many years taken much interest in the matter on behalf of the parishioners. The letter was written before the Report of the Assistant Commissioner was made, but after Mr. Coppack, the accredited representative of the parishioners, had expressed the view that the 19 acres in question were lost to the Charity. The publication of a sentence from a private letter and its distribution in a pamphlet in the parish was, he thought, unwarrantable. Regret was expressed if the words had caused any offence.

#### THE DUNSHAUGHLIN BOARD OF GUARDIANS.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it has come to the knowledge of the Local Government Board that Mr. Thomas Kelly, a Poor Law Guardian for the Kilmore Division of the Dunshaughlin Union for the past 15 years, is not a ratepayer within the Union; and whether Mr. Kelly is legally entitled to sit on the Board and vote on its proceedings; and, if not, whether the Local Government Board propose to take any, and, if so, what, steps to deal with Mr. Kelly's illegal votes, and to afford the ratepayers of Kilmore Division an opportunity for electing a Guardian who would be legally qualified to represent them on the Dunshaughlin Board?

MR. J. MORLEY: The Local Government Board have been informed by the Returning Officer that Mr. Kelly's name appears on the Rate Book with a valuation of £376, and the Poor Rate Collector states he has always received the rates in Mr. Kelly's name, and that he was residing on the farm. Assuming these

*Mr. G. Russell*

statements to be true, Mr. Kelly would appear to possess the necessary rating qualification for the office of Guardian in the Union.

#### BOWLING SCHOOL BOARD.

MR. PARKER SMITH (Lanark, Partick): I beg to ask the Secretary for Scotland whether he is aware that the hall at Bowling, built as a school and hall in 1860 by private subscribers, held by trustees for the subscribers till 1874, and then handed over by them to the School Board of the parish for educational purposes, subject to the condition that it should be available on week-day evenings for public meetings and other suitable purposes, has been for some years disused as a school and is no longer required for that purpose; whether he is aware that in 1891 a meeting of the subscribers asked the School Board to re-convey the hall to the original trustees for purposes of public meetings, and that shortly afterwards a self-convened meeting, professing to be a meeting of the inhabitants, asked the Board to convey the hall to certain other persons nominated by the meeting; will he explain why, after it had been ordered by the Education Department, as the result of an inquiry held on the spot and at which all parties were heard, that the School Board should put up the school for sale, subject to covenants to preserve its use for public meetings, within two or three days of the date fixed for the sale that order was countermanded, with the intention that the hall should be handed over to persons representing the meeting of inhabitants; and on what grounds it is proposed to pass over the trustees of the original subscribers in favour of the nominees of an irresponsible meeting?

\*SIR G. TREVELYAN: I am aware of the fact stated in the first paragraph of the hon. Member's question. I am also aware of the different claims put forward with reference to the re-conveyance of the hall. The Department endeavoured to bring about a compromise between the different bodies who claimed that the hall should be re-conveyed to them, but without success. As it appeared that a small sum might be realised by the sale of the school, the Department at first sanctioned the sale of the school according to the ordinary course. But it was represented to me that the circum-

stances of the case were special; that the hall might be more effectively secured for public uses by being conveyed to a public body specially elected by the community for the purpose; and, further, that this was the view adopted by the School Board. I have, therefore, thought it right to withdraw the sanction to the sale, and, in view of the special trusts attaching to these premises, to sanction their re-conveyance to representatives whom the Board may hold to be duly elected by a public meeting, adequate security being taken for the maintenance of the public rights. I cannot admit that the original trustees (who, 20 years ago, divested themselves entirely of the trust), or a certain number of them, have any claim now to be considered the representatives of the community.

#### SEWER GAS AT HAMPSTEAD.

MR. WEIR (Ross and Cromarty): I beg to ask the President of the Local Government Board whether he is aware that there is a serious upflow of sewer air at Hampstead and other of the Northern heights of London; and whether, in view of the possible visitation of cholera to this country, steps will be taken to inquire into and deal with the matter?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The question has received, and is still receiving, the attention of the authorities. My hon. Friend will be glad to hear that the death rate at North Hampstead of the last 10 years has been lower than in nearly every part of the parish.

#### PLACEMEN AND PENSIONERS IN PARLIAMENT.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Secretary to the Treasury when he will be able to lay upon the Table of the House the Return of placemen and pensioners now sitting and serving in the two Houses of Parliament?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): Returns have to be collected from various Departments, and though many have come in they are not yet complete. I will endeavour to expedite their preparation.

## THE LEE-METFORD RIFLE.

**MR. WEIR:** I beg to ask the Secretary of State for War will he state the results of any experiments which have been made, with a view of testing the relative effects on the barrel of the Lee-Metford magazine rifle, of the cordite powder cartridge and the black powder cartridge with nickel covered bullets?

**\*MR. CAMPBELL-BANNERMAN:** I am not aware that any experiments have been made with the direct object of comparing the results upon the barrel of the Lee-Metford rifle of firing cartridges made up with the cordite and black powder respectively.

**\*MR. WEIR:** Will the right hon. Gentleman order some experiments to be made?

**\*MR. CAMPBELL-BANNERMAN:** I do not think it is desirable.

## MEAT RATIONS FOR SOLDIERS.

**MR. HANBURY:** I beg to ask the Secretary of State for War whether, in the supply of meat to troops at Home stations, separate contracts are not made for refrigerated meat and home-killed meat respectively; and, if so, why not; if he can state whether the proportion of refrigerated beef or frozen mutton issued to the troops at home stations from 1st October to 1st June is nearly 60 per cent., the maximum allowed, and what is the proportion from June to October; if the ration is the same, three-quarters of a pound including bone, whether it consists of home-killed or refrigerated meat; how long this proportion of 60 per cent. of frozen meat has been sanctioned; and what is the amount of the saving in cost so effected?

**THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. WOODALL, Hanley):** Separate contracts are not made for home-killed and for refrigerated meat. In calling for tenders it is intimated that from October to June 60 per cent. of the meat supplied may be refrigerated beef or, within prescribed limits, frozen mutton, and the prices tendered are regulated accordingly. It rests with the contractor to decide in what proportion to supply home-killed meat, provided that it may not at any time be less than 40 per cent. of the whole supply, and that the whole supply, whether home-killed or not, is up to the stipulated standard of quality.

The proportion of refrigerated or frozen meat actually supplied is not, therefore, recorded. From June to September no refrigerated beef may be issued; but the mutton issued, which may never exceed one-seventh of the whole issue, may be frozen mutton. No difference is made in the amount of the ration. The 60 per cent. of refrigerated and frozen meat has been the rule since 1890. The saving in cost must have been considerable; but various circumstances in connection with the supply render it difficult to apportion any particular amount of saving to the use of refrigerated meat.

## RULES IN GOVERNMENT OFFICES.

**MR. HANBURY:** I beg to ask the Secretary to the Treasury whether the attention of the Government has been called to the fact that, while clerks of the Second Division are required to sign attendance books notifying the times of arrival and departure, no such requirement is made upon clerks of the First Division; and whether, in view of the fact that the recommendation of the recent Royal Commission laid stress upon the necessity for treating both Divisions alike in this respect, and for the First Division to set the example of punctual attendance, both Divisions of the Civil Service, who are equally required to give their whole time to their duties in order to qualify for pensions, will be placed upon a similar footing in the matter of attendance?

**SIR J. T. HIBBERT:** The intention of the provisions in both the Orders in Council is the same—namely, that all officers, high or low, subject to those Orders should sign an attendance book. Heads of Departments are responsible for enforcing the regulation. It is strictly enforced in the Treasury, and I am not aware of any infraction of it in other Departments.

**MR. HANBURY:** As the right hon. Gentleman has admitted it is the intention of the Government that the rule should have the same effect in the case of both the First and the Second Division Clerks, may I ask him whether the Order in Council will be amended so that the wording shall be similar for both Divisions?

**SIR J. T. HIBBERT:** I admit that the words are not the same; but until it has been shown that there has been an infrac-

tion of the Order in different Departments I do not think that is necessary.

MR. HANBURY : Is it not a fact that First Division Clerks may refuse to sign the attendance book, and yet there will be no infraction of the Order in Council ?

SIR J. T. HIBBERT : I understand that the First Division Clerks do not refuse to sign ; on the contrary, the book is signed regularly.

MR. HANBURY : Will the right hon. Gentleman inquire of other Departments ? I am told it is not so.

SIR J. T. HIBBERT : I am sure the hon. Gentleman would not wish me to act as a policeman in this matter in relation to other Departments.

#### THE FORM OF THE VOTES.

MR. FORWOOD (Lancashire, Ormskirk) : I beg to ask the Secretary to the Treasury why he has omitted from the Civil Service Estimates, Class I., Vote 8, Sub-heads K. and O. and in other Votes for Public Buildings, the information hitherto always given of the gross amount of previous Votes and Re-Votes, opposite each building in course of construction or to be constructed ; and whether, before the Votes are submitted to the House, he will have statements prepared and submitted setting out the details of the Votes in the same form as in past years ; and if any other changes have been made in the forms of or particulars given in the Estimates ?

SIR J. T. HIBBERT : The column headed "Gross amount of previous Votes and Re-Votes" was omitted in this year's Revenue Department Buildings Estimates—first, in order to simplify a table which remains sufficiently complicated ; and, secondly, because the figures in such column had become misleading under the present system of deducting from the total sub-head a large round sum for "possible delays in progress," or "works which may not be carried out during the year." For this reason I think it unnecessary, but I will ask the Office of Works whether they will furnish a separate Return. The summary prefixed to the Estimates has been improved, but I am not aware of any other changes of form.

MR. FORWOOD : Will the right hon. Gentleman be good enough to have the statement prepared before the Estimates come on for discussion ?

SIR J. T. HIBBERT : I will see if it can be done.

MR. FORWOOD : Will it be necessary for me to repeat the question ?

SIR J. T. HIBBERT : Certainly not.

#### THE DEPRESSION IN AGRICULTURE.

MR. BROOKFIELD (Sussex, Rye) : I beg to ask the President of the Board of Agriculture, in view of the fact that, in 1886, a Royal Commission reported on the depression then prevailing in certain trades and industries, including agriculture, dealing fully with no less than 15 possible causes of agricultural depression, and that other inquiries have since been held into various subjects connected with agriculture, will he explain what fresh matter it is intended to refer to the Select Committee which he proposes to appoint ; and whether, in view of the strong desire in most quarters of the House that the present Session should not pass away without anything definite being attempted for the relief of agriculture, he will communicate with the late President of the Board as to the proposed terms of Reference, and the possibility of narrowing the scope ?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden) : I have examined the Report of the Royal Commission to which the hon. Member refers ; but I am bound to say that I have not obtained much assistance therefrom. The Commission had but few definite recommendations to make, and they express the opinion that the depression in agriculture is not likely to exhibit any material improvement until the competition of soils superior to our own has worked itself out, a conclusion at which I think we should all arrive with considerable reluctance. In my opinion there is now ample room for the further inquiry we propose to institute, and I would especially refer to the desirability of obtaining more extended information as to the working of the Agricultural Holdings Acts of 1883, which have never, I believe, been made the subject of any detailed investigation. With regard to the second part of the question, I can only say that if, as a result of any communication which may take place between hon. Members opposite, the opposition of the right hon. Gentleman the Member for Sleaford should be with-



drawn, I shall be happy to consider any suggestions as to the precise terms of the Reference which may be proposed to me.

#### THE LEITRIM MAGISTRACY.

MR. P. A. M'HUGH (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, although in the Petty Sessions District of Kinlough, in the County of Leitrim, 95 per cent. of the Parliamentary electors are Nationalists, not one Catholic or Nationalist holding the Commission of the Peace for the County of Leitrim resides in that district; is he aware that more than six months ago the Lord Chancellor of Ireland was requested, by memorial and otherwise, to appoint to the Commission of the Peace for the County of Leitrim, amongst others, Mr. Patrick Fergus, P.L.G., a Nationalist residing in Kinlough Petty Sessions District; has Mr. Fergus been yet appointed; and, if not, will he be appointed; has the Lord Chancellor of Ireland communicated with the Lord Lieutenant of the County of Leitrim in regard to the appointment of Mr. Fergus; and, if so, with what result; did the Lord Chancellor before or since the 5th instant make any appointments to the County Magisterial Bench in Ireland without the recommendation or approval of Lords Lieutenant of counties; and, if so, how many such appointments were made, and when; and does he propose to make his statement, promised on the 1st instant, as to the whole system of the appointment of County Magistrates in Ireland, and the action which the Lord Chancellor will be prepared to take?

MR. J. MORLEY: I answered this question on a previous occasion; I suppose the hon. Member is not aware of that. There are 71 Magistrates for Leitrim, nine of whom are Roman Catholics. The Lord Lieutenant did decline to appoint Mr. Patrick Fergus, and the Lord Chancellor has not yet made up his mind whether or not to appoint him without the Lord Lieutenant's recommendation. The Lord Chancellor has made 11 appointments to Irish County Benches without recommendations from Lords Lieutenant, and he has several recommendations from other sources still under consideration.

*Mr. H. Gardner*

MR. P. A. M'HUGH: The right hon. Gentleman has not answered the last paragraph of the question.

MR. J. MORLEY: If the hon. Member will postpone that till after Whitsuntide I shall then have had an opportunity of conversing with the Lord Lieutenant on the subject.

MR. MACARTNEY (Antrim, S.): Is the right hon. Gentleman aware that Mr. Fergus has no other qualification for being made a Magistrate except that he is a Nationalist residing on the Kinlough Petty Sessional District? Can he read and write?

\*MR. DANE (Fermanagh, N.): Is the right hon. Gentleman aware that Mr. Patrick Fergus is the gentleman who, at Ballyshannon Petty Sessions, in March, 1887, was three times convicted of assaults, two of which were on police constables whilst engaged in the discharge of their duty?

\*MR. SPEAKER: Order, order! These are reflections on individuals, and the question had better be put when an immediate answer can be given.

MR. J. MORLEY: This, of course, is not an appointment with which I am concerned. It rests with the Lord Chancellor, who, no doubt, will make full inquiries.

#### THE HULL DOCK STRIKE. ↑

MR. CHARLES DARLING (Deptford): I beg to ask the Secretary of State for the Home Department whether he has been informed that a fire was discovered at Hull in the early hours of Thursday, on the premises of the Shipwright and Boat Building Company; whether there is reason to believe that such fire was purposely caused; and whether any arrests have been made in consequence of the several incendiary fires which have occurred in Hull during the continuance of the dock strike?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I have no official information on the subject of the question. So far as I am aware, no arrests have been made; but I have no reason to think that there has been any lack of vigilance or energy on the part of the Local Authorities.

## TARGET PRACTICE SEAWARDS.

**MR. MILD MAY** (Devon, Totnes) : I beg to ask the Secretary of State for War whether he is now able to say what steps he intends to take to carry out the recommendations embodied in the Report on Target Practice Seawards ?

\***MR. CAMPBELL-BANNERMAN** : The recommendations affecting the several military districts have been referred for careful examination and report to the General Officers commanding those districts. Until their Reports are received and considered I cannot say what steps will be taken.

## IRISH RESIDENT MAGISTRATES.

**CAPTAIN M'CALMONT** (Antrim, E.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Resident Magistrates are included in the provision for Civil Servants under the Government of Ireland Bill ?

**MR. J. MORLEY** : Yes, Sir ; Irish Resident Magistrates are included in the provision referred to.

## PAPERS ON NATAL.

**MR. WODEHOUSE** (Bath) : I beg to ask the Under Secretary of State for the Colonies when the Papers relating to Responsible Government in Natal, moved for on 10th February last, will be circulated ?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar) : The Papers have gone to press, and will be circulated very shortly.

**MR. WODEHOUSE** : May I ask if the delay is due to the documents being of exceptional bulk ?

**MR. S. BUXTON** : No ; it is not. I very much regret the delay.

## THE GOVERNMENT AMENDMENTS TO THE EMPLOYERS' LIABILITY BILL.

**SIR FRANCIS POWELL** (Wigan) : I beg to ask the Secretary of State for the Home Department whether he is prepared to give to the House the exact text of the Amendments which he proposes to introduce into the 3rd clause of the Employers' Liability Bill ?

**MR. ASQUITH** : The text will be put down on the Paper this afternoon, and be circulated to-morrow morning.

## WELSH PROBATE REGISTRIES.

**MR. HERBERT LEWIS** (Flint, &c.) : I beg to ask the Attorney General if he will explain by what authority it is that in Probate Registries in Wales a charge is made of 3d. per folio for copying wills in the Welsh language, over and above the usual charge for copying wills written in English ?

\***THE SOLICITOR GENERAL** (Sir J. RIGBY, Forfar) : I should be glad if my hon. Friend would postpone this question for a few days. Perhaps if he will communicate with me personally I shall be in a better position to answer his inquiry.

## THE NORTH SEA FISHERIES BILL.

**SIR RICHARD TEMPLE** (Surrey, Kingston) : I beg to ask the First Lord of the Treasury whether he will put down the North Sea Fisheries Bill among the first Orders of the Day for an early date, and before 12 o'clock, in order to complete the discussion on it ?

**THE FIRST LORD OF THE TREASURY** (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : The Government will take this Order on the first opportunity that they can take it without the sacrifice of still more important business. Our present intention is to place this Order as the very next to the Order for the Government of Ireland Bill, in order that some opportunity may be found at an early date for bringing on the discussion.

**THE MARQUESS OF CARMARTHEN** (Lambeth, Brixton) : May I ask whether, when the Government moves to report Progress in Committee on the Government of Ireland Bill in order to take the North Sea Fisheries Bill, due notice will be given, in order that hon. Members interested in the question may be in their places ?

**MR. W. E. GLADSTONE** : It is not in my power to say that. The Government will do everything in their power to meet the convenience of the House on a subject on which there is such a general concurrence of opinion ; but they must necessarily take the first opportunity that offers.

## THE SOMERSET HOUSE CHEMISTS.

**MR. HANBURY** : I beg to ask the Secretary to the Treasury whether the

Inland Revenue chemists, or any of them, employed in the Laboratory at Somerset House, are allowed to undertake private practice as consulting or analytical chemists?

**SIR J. T. HIBBERT** : The staff employed in the laboratory attached to the Inland Revenue Department have the same liberty of action with regard to the employment of their leisure as the rest of the Civil Service. They would not, of course, be allowed to enter into engagements which the Board of Inland Revenue considered inconsistent with or prejudicial to a proper performance of their official duties.

#### THE IRISH REPUBLICAN FLAG.

**MR. DARLING** : I beg to ask the First Lord of the Treasury whether he has any information as to the statement in to-day's papers to the effect that a ship purporting to fly the Republican flag of Ireland was saluted yesterday in New York Harbour by the American ships there assembled?

**MR. W. E. GLADSTONE** : Will the hon. and learned Member kindly place the question upon the Paper so that I may make inquiry? I am entirely in ignorance upon the matter.

**MR. DARLING** : I will put the question down for Monday.

#### THE AMERICAN MAILS.

**MR. MACARTNEY** : I wish to put to the Postmaster General a question which he may probably be able to answer without notice. It is whether the *Campania*, which has just arrived at Queenstown, made the fastest passage—namely, 5 days 18 hours 40 minutes, and whether in consequence American letters specially marked to be sent by her will be delivered in Dublin this evening, and in London and elsewhere to-morrow; also when the Post Office expects the mails arriving from America by the Southampton route, which will not reach here till to-morrow, will be delivered?

**MR. A. MORLEY** : I should like to have notice of that question.

**MR. FLYNN** (Cork, N.E.) : Do the Post Office keep a record of the times made on both the Southampton and Queenstown routes?

**MR. A. MORLEY** : Yes, Sir; a careful record is kept.

*Mr. Hanbury*

#### AGRICULTURAL DEPRESSION.

**MAJOR RASCH** (Essex, S.E.) : I beg to ask the right hon. Gentleman the Prime Minister whether, in view of the fact that agricultural prices are now lower, and prospects are more hopeless than they were at the time of the Queen's Speech, he will re-consider his determination not to move for a Committee to inquire into the causes of agricultural depression, even though a day might be occupied by a Debate on agriculture?

**MR. W. E. GLADSTONE** : I am not able to re-consider that determination; at the same time, I am unwilling to meet the question of the hon. Gentleman, with whose objects I entirely sympathise, with a direct negative. I hope, however, that hon. Gentlemen opposite will use their influence with the right hon. Gentleman the Member for Sleaford (Mr. Chaplin) to remove his objection; and when the main obstacle has been removed, the Government will be happy to meet hon. Members in any way they can.

**MR. J. LOWTHER** (Kent, Thanet) : I wish to put a question arising out of the answer of the right hon. Gentleman. Has it been brought to the right hon. Gentleman's notice that there is a very general disinclination on the part of representative persons connected with the agricultural community to have anything to do with this inquiry?

**MR. W. E. GLADSTONE** : It has not been brought under my notice, and is not in accordance with my impression. There are hon. Members on the other side of the House who desire that the inquiry shall go forward, and it is to them that I have addressed my reply.

**MR. T. M. HEALY** (Louth, N.) : Is the right hon. Gentleman aware that a knot of hon. Gentlemen sitting above the Gangway have declared their intention to forbid all Business after 12 o'clock.

[No answer was given.]

#### SUPPLY.

**MR. W. E. GLADSTONE** : I wish to give notice that it is the intention of the Government to propose that Supply should be taken on Thursday and Friday next, the last two days before the Whitsuntide Recess.

## THE CLOSURE.

**LORD G. HAMILTON** (Middlesex, Ealing): I wish, Mr. Speaker, to ask your ruling as to the proceedings which occurred in Committee on the Government of Ireland Bill last night in connection with the Closure. It was the impression of all of us who took a share in the discussions by which the Closure was made part of the Standing Orders of the House that the Closure could be moved by anyone without word or comment, or, if a speech were made in making the Motion, it should not be of a controversial character. Last night, however, the right hon. Gentleman the Chief Secretary moved the Closure and prefaced his Motion with a speech of a very remarkable character. He began by finding fault with the Opposition with regard to their conduct during the evening, and then the right hon. Gentleman turned to the Chairman and addressed him in the following words:—"I submit, Mr. Mellor, with all respect, that most of what we have heard to-night, including the powerful speech——"

**MR. SEXTON** (Kerry, N.): I rise to Order. Is this in conformity with your repeated rulings when attempts have been made to constitute you a Court of Review upon questions of Order arising in Committee?

**\*MR. SPEAKER**: I was about to intervene on the same ground. The noble Lord told me that he was going to ask this question, and I hoped that the noble Lord would have dissociated himself from anything that took place last night. Having been asked the question, however, I think that it is my duty to interpret the Standing Order without any intention to reflect on anything or on any hon. Member with regard to the discussion of last night.

**\*LORD G. HAMILTON**: I wish, Sir, to ask your opinion as to the manner in which the Closure can be moved not only in Committee, but when the Speaker is in the Chair, and I wish to ask whether it is in conformity with the spirit of the Standing Order for any Minister to preface his Motion for the Closure by a speech of a highly controversial character, and stating, with all the skill of an advocate, the reasons why the Closure should be applied?

**\*MR. SPEAKER**: I take it that the question of the noble Lord is whether the Closure can be moved after a speech has been made on a general subject or after reasons given for moving it. As far as I recollect, a similar question was raised in August, 1887, when a right hon. Gentleman made a long and necessarily controversial speech, and at the end of it moved the Closure. The hon. and learned Member for Louth raised the point, and I then told the hon. and learned Member that the question had been settled by former precedents, and that it was competent for an hon. Member at the close of a speech to move the Closure. But, after an experience of many years, I am bound to say that for an hon. Member to make a controversial speech, and then to move the Closure, is scarcely in conformity with the spirit of the Rule, because such a course shuts out an answer to his speech being given. With reference to the Motion of the Closure, it would be improper and contrary to the spirit of the Rule to move the Closure and then to give reasons; and, therefore, I think it would be improper to give reasons for moving the Closure and then to move it. The question of accepting the Closure is within the discretion of the Speaker or the Chairman, and they would be guided by the circumstances under which the Closure has been moved.

**MR. T. P. O'CONNOR** (Liverpool, Scotland): May I ask whether, after the Closure has been moved by a Minister and accepted by the Chair, it is in Order for hon. Members of the House, especially for right hon. Members on the Front Bench, to meet the action of the Speaker or of the Chairman by cries of "Shame, shame!" or "Scandalous, scandalous!"?

**\*MR. SPEAKER**: I had hoped that the question would not have been revived. When I resumed the Chair at midnight last night, I stated my opinion with regard to the use of the word "shame." I think that any question which arises in Committee ought to be decided then and there. I hope that I shall not be appealed to in future with regard to what takes place in Committee.

**MR. T. P. O'CONNOR**: I was not referring to the incident of last night.

**MR. LABOUCHERE** (Northampton): I wish to ask whether, when a

Motion is put to report Progress or to adjourn the Debate, and a Division takes place and is finished after 12 o'clock, it is open after the Division for anyone to move the Closure upon the Main Question?

MR. HENEAGE (Great Grimsby): Is not this entirely a question for the discretion of the Chair?

\*MR. SPEAKER: It is entirely a question for the Chairman whether he accepts the Motion. With reference to the question of the hon. Member for Northampton—if a Division on a Motion for reporting Progress or any other question is taking place before the hour for the interruption of Opposed Business, the time for the interruption of business is, so to speak, projected forward, and after the Division on the Motion under decision at the usual hour for the interruption of business it would be competent for an hon. Member to move the Closure.

MR T. M. HEALY: Is it not the case that in the last Parliament a precedent was repeatedly set in this matter?

\*MR. SPEAKER: It has been done repeatedly.

#### WELSH TITHE DISTURBANCES.

MR. GRIFFITH-BOSCAWEN (Kent, Tunbridge): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a paragraph in *The Daily News* of 6th May, reporting a serious and riotous attack at Penbryn, Cardiganshire, upon bailiffs engaged in the collection of tithe rent-charge; and what steps are being taken to bring the rioters to punishment, and to prevent the repetition of such occurrences?

MR. S. T. EVANS (Glamorgan, Mid): Is it not a fact that proceedings are still pending in relation to this matter?

MR. BURNIE (Swansea): Will the right hon. Gentleman, when making inquiries into this matter, also inquire into the arbitrary manner in which the clerical tithe-owners are collecting their tithes?

MR. E. H. HOBHOUSE (Somerset, E.) also put a question, which was inaudible in the Gallery.

MR. ASQUITH: Yes. Two men have been arrested and brought before the Magistrates and remanded until tomorrow. Police protection will be given

to the bailiff whenever he requires it, and I have every reason to hope that it will prove adequate to prevent the recurrence of such an event. As to the supplementary question, I have no power to make the inquiries suggested, as they do not relate to matters with which I can interfere.

#### ORDERS OF THE DAY.

##### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress 11th May.*]

[FIFTH NIGHT.]

Considered in Committee.

(In the Committee.)

Clause 1.

Question again proposed, "That Clause 1 stand part of the Bill."

SIR J. GORST (Cambridge University): I am glad that the Debate did not close last night, as I am enabled to make a few observations on the speech of the hon. and learned Gentleman the Solicitor General. That speech partook of the character of all the speeches we have heard from the Government on this occasion. It did not attempt to answer the arguments which had been raised from this side of the House, and upon which a considerable number of hon. and right hon. Gentlemen in common with myself honestly and sincerely asked the advice of the hon. and learned Gentleman. As a profession of faith in sound Constitutional doctrines the speech was admirable, but it did not tell us anything we did not know before, and it did not throw the least light in the world on the point we had raised. The whole argument of the Solicitor General was based on the assumption that this House has, irrespective of Statute, complete jurisdiction to legislate for Ireland, and that that jurisdiction can neither be interfered with nor taken away by any operation of Statute. This is exactly the point upon which doubts have been raised, and upon which the hon. and learned Gentleman was asked to state his views. I will, with the permission of the Committee, state as shortly, distinctly, and clearly as I can what it is that I wish the hon. and learned Gentleman to answer, Up to

*Mr. Labouchere*

the year 1719 doubts had been raised on numerous occasions in Parliament and before the Courts as to whether the Parliament of Great Britain was competent to legislate for Ireland, the affirmative being asserted in Great Britain, while in Ireland it was asserted with equal determination that this Parliament was not competent. So grave were these doubts that in 1719 a Declaratory Statute was passed (6 Geo. I., c. 6), the enacting part of which was as follows :—

“Be it declared, &c.—That the said Kingdom of Ireland hath been and is and of right ought to be subordinate unto and dependent upon the Imperial Crown of Great Britain . . . and that the King's Majesty, by and with the advice and consent of the Lords spiritual and temporal and the Commons of Great Britain in Parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the Kingdom of Ireland.”

I think it will be conceded by the Solicitor General that a Declaratory Statute does not and cannot of itself give jurisdiction if none before existed, and therefore this simply amounted to a declaration of the opinion of the Parliament of Great Britain. Still, it was a very valuable piece of evidence that in the opinion of that Parliament jurisdiction had existed prior to 1719, and from that date onwards those who alleged jurisdiction had at least that Statute in their favour. But the position was entirely reversed by what took place in 1782, because in that year an Act (22 Geo. III., c. 53) was passed by the British Parliament to repeal the Statute of 1719, and, in repealing it, doing away with the whole of the argument which that Act furnished in favour of the jurisdiction of Great Britain, and putting those who asserted it in even a worse position than that which had been occupied before 1719, inasmuch as it was a sort of confession of error on the part of Parliament. But that is not all. In 1783 a further Act was passed by which the British Parliament absolutely repudiated all claim to jurisdiction over Ireland, and enacted a Declaratory Act in precisely a contrary direction. The Preamble sets forth that doubts had arisen under the Act of the preceding year, and enacted (23 Geo. III., c. 28)—

“That the said right claimed by the people of Ireland to be bound only by laws enacted by His Majesty and the Parliament of that King-

dom in all cases whatever . . . shall be, and it is hereby declared to be established, and ascertained for ever, and shall at no time hereafter be questioned or questionable.”

The question really is, whether this right existed before 1719? If it did, all those Statutes are mere moonshine, and cannot take it away. I can assure the Committee that we sincerely and honestly put forward these arguments, although I know that it is the fashion among hon. and right hon. Gentlemen opposite to believe that every speech made by the Opposition is animated by some sinister motive. Undoubtedly after 1783, it was questionable whether the Parliament of Great Britain had power to legislate over Ireland; for by the Act of that year it had expressly disclaimed its right to do so, and from a moral, historical, or legal point of view had done everything it could to estop itself from ever raising a contention that it had a right prior to 1719 to legislate for Ireland. Under these circumstances, the Act of Union was passed, and the only authority we now have is based on that Act. If that is so, our right is based on Statute, and what Parliament has given Parliament can take away. I will ask the Solicitor General this definite question—Cannot this Parliament now pass an Act repealing the Act of Union and annihilating the whole right which the Imperial Parliament now possesses to legislate for Ireland? The hon. and learned Gentleman's argument was based on the idea that such a right could be taken away. He said, “Don't mention supremacy in this Bill at all, because a Statute cannot take it away.” But if the contentions I have now been submitting to the Committee are sound, it is obvious that the greatest possible care ought to be exercised in order that the present Bill may not take away that right which the Government intends to preserve. That point was clearly put some days ago, and the Solicitor General got up to answer it, but was pulled down by the right hon. Gentleman the Chief Secretary for Ireland. I have the greatest respect for the abilities and power of the right hon. Gentleman, but upon a question like this he is no more an authority than I am. What we should like to know is, what the Solicitor General has to say on that point? The Solicitor General will admit that in his excellent speech

yesterday he omitted all notice of that point. There must have been some sinister motive in the hon. and learned Gentleman's mind which prevented him from answering that question, and I believe it is the same motive which colours every speech made on the Treasury Bench. Why are we not to be allowed on a very important question of this kind to show the Government the difficulties under which we labour? If the Bill is one which the Government can really recommend to the country, and which they hope will be carried into law, why should they decline upon every occasion to satisfy the reasonable curiosity of Members on this side of the House who are desirous of criticising the Bill in a friendly way?

\*THE SOLICITOR GENERAL (Sir JOHN RIGBY, Forfar): Mr. Mellor, I desire to correct my right hon. Friend the Member for the University of Cambridge on several points of fact. It must be imagination which led him to suppose that he saw me getting up to answer him when he made the appeal to me. I had not the slightest idea of getting up, because, as I said before, I do not think he has the slightest right to attempt to force me against my inclination. I am also surprised that the suggestion of a sinister motive could have occurred to him possible. At any rate, no sinister motive actuated me. I will now say in a few words all I have to say. Shortly before the right hon. Gentleman spoke I listened to the speech of the hon. and learned Member for Mid Armagh, which was nothing more nor less than an abstract of one or two of the well-known chapters of Dr. Ball's book. The right hon. Member for Cambridge University did not appear to be aware of that fact, and to him that point, which is well-known to students of that portion of history, was quite novel. There was nothing fresh about it at all; but as might be expected from a writer of Dr. Ball's accuracy, the speech, which was a mere exposition of Dr. Ball's chapters, was in itself accurate. I agree that in the last century it was one of the most vexed questions whether or not the British Parliament had an inherent right to legislate for Ireland. I also agree with what appears to be a perfectly evident proposition of the right hon. Gentleman, that no Act of the British Parliament, either in affirm-

ance or repudiation of the jurisdiction which it possesses, can have any binding effect. It appears to me, therefore, that in the question so raised there really is nothing relevant to the present measure, because when we go to the action of the Legislatures of Ireland and Great Britain which led to the Act of Union all doubts and difficulties are removed, and we have it under the undoubted authority of that Act that the United Kingdom of Great Britain and Ireland has jurisdiction and authority. I am told that it is a mere Act of Parliament. But can there be a better title than an Act of Parliament? Under what title is Her Majesty's Throne held but by an Act of Parliament? There is not, and cannot be, a higher, a more perfect, and a more indisputable title than that which is given by an Act of Parliament. This is what I mean when I talk of the supremacy of Parliament—that there is no authority in existence that can question it, and that the only limit upon it is this: that it cannot by any Act of its own take away from itself that supreme authority. The right hon. Gentleman suggests that there may be a repeal of the Act of Union; but admitting it to be the case, that is not in any way contemplated by the Bill. The Constitutional question might arise whether the Parliament of the United Kingdom can destroy and annul itself; but that question is not raised now, and I prefer to leave it until the occasion arises for discussing it. That it can limit the authority of future Parliaments is denied by a concurrence of authority, which is, so far as I know, without a single exception, among jurists and writers of reputation and position.

\*MR. T. W. RUSSELL (Tyrone, S.) said, the Chief Secretary referred the previous night to what he described as the tactics of the Opposition. Now, whatever the right hon. Gentleman might have referred to, he must have exempted the Ulster Members, because no Ulster Member had spoken during the entire Debate on the Amendment before the Chair, although five or six of them had risen repeatedly with that view. The right hon. Gentleman also complained that the Debate upon Clause 1 had in reality been a Second Reading Debate. He should like to know what else the Debate could be? What was the principle of the Bill? The main

principle of the Bill was to establish an Irish Legislature, and the 1st clause was the very clause that would set up that Legislature. How could they debate the clause, therefore, without debating the principle of the Bill? The clause before the Committee was applicable to the whole of Ireland, and was applicable to a Province of Ireland against the direct vote of the majority of the Constitutional Representatives of that Province. The Committee, so far as it was able, had practically imposed a yoke upon the neck of the people of Ulster which was hateful to them, and which was imposed in face of the solemn warnings of that Province. They had imposed that yoke upon the necks of the people of Ulster against the votes of their Constitutionally-elected Representatives—not Representatives chosen by the priest, not Representatives chosen by clerical influence in any shape or form, and they had imposed it in face of the solemn protests and warnings of that Province conveyed in every Constitutional way they were capable of being conveyed. That Province had declared, in language perfectly direct and perfectly plain, that if such a Legislature were forced upon them they would not pay the taxes which the Legislature imposed, and they had, in language which could not be misunderstood, said that they would resist its authority. They knew, and he knew, that many hon. Members on the Ministerial Benches, who pretended to be so easy about the matter, knew, that if it were sought to force the Bill down the throats of the people of Ulster, they would have to enforce it by British bayonets. He asked the Committee to consider what that really meant. They had scouted the voice of the Representatives of Ulster, and they must now force this hated Legislature upon them by coercion. What was Great Britain to gain by the exchange of one form of coercion for another? For six years the Gladstonian Party had been denouncing coercion in every part of the country. That coercion he held to have been the coercion of crime and the coercion of lawlessness. But what kind of coercion will they have in Ulster? They would not have to coerce crime, or to coerce lawlessness; but they would have to coerce the majority of a Province simply because of their passionate loyalty to the

Empire, and because of their determination not to be thrust outside its pale. [*Irish laughter.*] Hon. Gentlemen laughed, but they did not represent a majority of the people of Ulster in this Parliament as they did in the last, and their representation would be worse instead of better in the next Parliament. The Prime Minister professed to be always ready to consider this question of Ulster. The right hon. Gentleman stated, in reply to a question he had addressed to him, that in 1886 the Government were ready to consider any proposition in regard to the question of North-East Ulster, as he was pleased to call it. The Prime Minister had been good enough to give him the reference to the statements on which he based that assertion; and on consulting those references, he (Mr. T. W. Russell) found that the statement which the Prime Minister made in 1886 amounted to no more than this: that whenever the representation of the North-Eastern portion of Ireland submitted a proposal to the Government it would receive the fairest consideration that the Government could give it. The right hon. Gentleman also said that in making that proposal he had the general concurrence of Mr. Parnell and the Irish Nationalist Party. On the day when the Mines (Eight Hours) Bill was discussed the right hon. Gentleman said the offer was still open, although he did not say whether this received the concurrence of the Nationalist Party. At least one prominent Member of that Party had expressly repudiated the proposal. The Government said they were ready to consider any proposal made by the Ulster Members. It was not the business of the Ulster Members to approach the Prime Minister on this matter. They did not want the Bill at all. They had told the Government so in the plainest language that men could use; and, therefore, the Government had no right to ask the Representatives of Ulster to make any proposal to exempt Ulster from the 1st clause of the Bill. Their business was to destroy the measure. It was the business of the Government to make their Bill just and safe. It was the business of the Opposition to destroy it. They had made no secret of that. They had declared plainly that that was their business.



The Government were prepared to "consider" anything. It seemed to him that their position all along the line was—the smallest contribution thankfully received. Speaking for the Ulster Members, he would say that they should make no proposals in relation to that Province. When the Government made them they should be considered. They should give their proposals the fairest consideration. He thought they had much better right to ask the Government to make this proposal than the Government had to ask them to make it. The Government had introduced the Bill, and they were seeking to pass it. It was not the duty of the Ulster Members to make its passage easy, and they were not going to make it easy. He said again that they would not make any proposal with regard to the promise of Ulster in this Bill. When the British people had been consulted, and when they declared in favour of Home Rule, then it would be time for the Ulster Members to act; then it would be time for them to consider whether they should dismember Ireland as well as the Empire. They had heard during the discussion a great deal about the supremacy of Parliament, and about the Irish Assembly being subordinate to the Imperial Parliament. He had been making a very interesting collection of Gladstonian candidates' speeches in Great Britain. He did not mean their election addresses, but speeches and replies to questions. They were most interesting reading, not for their merits, because they are very poor literary performances in almost every case.

MR. MAC NEILL (Donegal, S.): Question, question!

MR. MACARTNEY (Antrim, S.): I rise to a point of Order, Mr. Mellor. I desire to call your attention to the constant and disorderly interruption of the hon. Member for South Donegal behind me.

THE CHAIRMAN: I can only appeal to hon. Members to assist me in keeping order. I must appeal to every hon. Member, of whatever Party he may belong, to assist me in the preservation of order.

MR. MAC NEILL: As I have been expressly referred to, I rise now to a point of Order. All I said was "Question, question!" and I said that because

the hon. Member was speaking assumedly on this clause, and in reality he said he was making a collection of Gladstonian speeches—which have nothing whatever to do with the clause.

MR. T. W. RUSSELL said, he would do his best to keep in Order, but he really thought hon. Members opposite ought not to be so thin-skinned. Nothing amused him more than the stickling for points of Order from Nationalist Members. As he had said, he was making a collection of the speeches made by Gladstonian candidates on the supremacy of Parliament and on the Irish Assembly being subordinate to the Imperial Parliament. Reading the speeches, it was exceedingly difficult to understand how these hon. Members had resisted the insertion in the clause of words directly bearing on the supremacy of this Parliament. The object of the Amendment, to have the word "subordinate" inserted in the clause, was to make the supremacy of the Imperial Parliament effective. He admitted that with the Bill as it stood, it mattered little whether "supremacy" was put in the Preamble or in a clause. [An hon. Member on the Irish Benches interjected a remark which did not reach the Reporters' Gallery.] He had caught the expression of his hon. Friend, and he did not think those words ought to be used in the House. He thought those who were responsible on the Treasury Bench for the order of the House ought not to allow them to be used.

MR. VICARY GIBBS (Herts, St. Albans): I beg to move, Mr. Mellor, that the words just used by the hon. and learned Member for South Donegal be taken down.

MR. MAC NEILL: What words?

MR. VICARY GIBBS: He said, addressing the hon. Member for South Tyrone, "What the devil are you talking about?"

THE CHAIRMAN: What hon. Member used that expression?

MR. VICARY GIBBS: The hon. Member for South Donegal.

MR. T. W. RUSSELL: "What the devil are you talking about?" It was the Member for South Donegal.

THE CHAIRMAN: I must appeal to the hon. Member for South Donegal to say whether he used the words imputed to him.

*Mr. T. W. Russell*

MR. MAC NEILL : What words ?

MR. VICARY GIBBS : "What the devil are you talking about ?"

VISCOUNT CRANBORNE (Rochester) : There is no doubt about it. We all heard them—"What the devil are you talking about ?"

MR. MAC NEILL : I assert, on my honour, that I never used one word of the expression imputed to me or anything like it.

\*MR. T. W. RUSSELL : I heard you.

MR. DILLON (Mayo, E.) : I was sitting by the side of the hon. Member for South Donegal, and I can state from my own knowledge that he made use of no such expression whatever.

MR. MACARTNEY : I quite agree with what the hon. Member has said, but I called your attention, Sir, to the fact that the hon. Member for North Kerry used the words.

MR. SEXTON (Kerry, N.) : Mr. Mellor, the statement is untrue. I made use of no such words or expression of any kind whatever.

MR. HARRINGTON (Dublin, Harbour) : I am sitting behind the hon. Member for North Kerry, and I did not hear him use the expression.

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby) : I rise, Mr. Mellor, to call attention to the fact that not only to-day, but yesterday, hon. Gentlemen have risen up to charge particular hon. Gentlemen with making particular statements, and asked for them to be taken down after those hon. Gentlemen have stated, and after those around them have stated, that no such words were used. I ask you whether hon. Gentlemen opposite should not be more cautious in getting up, as the noble Lord has just done, to make statements which an hon. Member has said upon his honour he never uttered ? Hon. Gentlemen sitting around the hon. Member confirmed what he said.

MR. MAC NEILL : Mr. Mellor, I call upon the hon. Gentleman who made the statement against me for a distinct and humble and an absolute apology.

MR. A. J. BALFOUR (Manchester, E.) : In reference to the observation which has fallen from the Chancellor of the Exchequer (Sir W. Harcourt) I do not wish to follow his example, and add any bitterness to the controversy. Though it may be true, and no doubt is

true, that a particular gentleman accused of using those words may not have uttered them, what unfortunately, Mr. Mellor, is equally certain, is that the words were used by some gentleman sitting below the Gangway, and that they were uttered in so loud a tone of voice that they were heard distinctly across the floor of the House. I would venture to suggest that the incident might close ; but I hope it will result in hon. Gentlemen restraining their emotions, and not indulging in expressions unparliamentary in themselves, and which certainly do not conduce to the harmony of the proceedings or the decency of Debate.

MR. VICARY GIBBS : The Chancellor of the Exchequer has attacked me for having charged an hon. Member with having used the expression after that hon. Member had stated on his honour that he had not done so. I beg to deny that any such an attack on me was justified.

SIR W. HARCOURT : I did not say "after," but that a gentleman had made a statement with reference to an hon. Member which he declared on his honour was incorrect.

MR. VICARY GIBBS : I wish to make a personal explanation, and I do not think I should be interrupted in the middle of it. With regard to the hon. and learned Member for South Donegal (Mr. Mac Neill), I beg to make an apology to him for having charged him with using language that was certainly blackguardly, and which I now fully believe he did not use. I am extremely sorry I was misled into denouncing him as the culprit in this matter, whereas someone in his immediate vicinity did use that blackguardly language.

THE CHAIRMAN : The hon. Member who has just sat down has taken what I think is the proper course, and the only course that it was open for him to take. He has made a charge by misapprehension and mistake against an hon. and learned Member of this House, and, finding that he was wrong, he has apologised to the hon. Member and to the Committee. Now, with regard to that matter the incident must now terminate. But if language of this kind is to be used—and some language of this sort must have been used, because it has been heard in different parts of the House—I can only say that such an interruption and such

an observation is most indecent, is contrary to the Rules and practice of this House, and I must express my sincere hope that every hon. Member will assist the Chair in keeping order in what, sometimes, are somewhat difficult circumstances. If hon. Members will do that, they will refrain from using language that is not only of an improper character, but is calculated seriously to disturb the proceedings of this House.

MR. SEXTON (Kerry, N.) : I have to say, so far as I am concerned, the incident cannot terminate here. I must ask the hon. Gentleman the Member for South Antrim (Mr. Macartney) what statement he has to make with regard to his unfounded charge against me?

MR. MACARTNEY (Antrim, S.) : I endeavoured to rise several times, and I did rise immediately after the statement of the hon. Member for North Kerry (Mr. Sexton), to express my regret that I should have attributed to him words he declared he had not used. I rose on the first occasion to add my testimony to that of the hon. Member for Mayo (Mr. Dillon) that the hon. Member for South Donegal had not been guilty, on this occasion, of uttering the expression used. I then, misled by the extraordinary similarity of two voices of hon. Members behind me, attributed to one of the two hon. Members words which I certainly believed he had been guilty of uttering. He denied it, and I accept his denial and express my sincere regret that I should have attributed to him the use of the words ; I rose immediately for the purpose of saying so.

THE CHAIRMAN : I express my regret that I did not catch the words used with regard to the hon. Member for North Kerry (Mr. Sexton). I think the hon. Member for South Antrim (Mr. Macartney) has taken the proper and only course open to him. That being the case, this matter must terminate, and I call upon Mr. Russell.

MR. HARRINGTON : On a point of Order, I should like to ask—  
[*Cries of "Order !"*] I rise to a point of Order

THE CHAIRMAN : The hon. Member for South Tyrone is in possession of the Committee.

MR. HARRINGTON : I rise to a point of Order. I want to ask whether, in taking down words used in the House,

they should be words heard by you in the Chair, and not by Members in different parts of the House ; and whether it is competent for you to take the report of a Member who has indistinctly heard the words ?

MR. VICARY GIBBS : I heard the words distinctly.

MR. T. W. RUSSELL : So did I.

THE CHAIRMAN : In answer to the question put to me on the point of Order, I have to say that any hon. Member can draw my attention to disorderly words, although they do not reach my ear. Any hon. Member may then move that the words be taken down. My duty then is to take the sense of the Committee whether they be taken down ; and if it is the sense of the Committee that they be taken down, I should have to order them to be taken down, and leave the Chair to report to the Speaker.

\*MR. T. W. RUSSELL, resuming his speech, said, it was not very easy carrying on a Debate under these circumstances. When he was interrupted he was stating that had the Amendment moved by his hon. and learned Friend been adopted, that Amendment would have been succeeded by other Amendments designed to make it effective. As the Bill stood, it seemed to him it really did not much matter what was in the Preamble of the Bill, and for this reason: He had a strong opinion, not founded on law at all, but upon the facts, that the moment they parted with the Executive power in Ireland they parted with the supremacy of Parliament. If the first Amendment had been carried, they would have taken care to see that the Executive power was retained ; but inasmuch as it was not, and the Committee had declined to insert the supremacy of Parliament in distinct terms, he did not see that a statement in the Preamble was of the slightest use in face of the fact that they had parted with the power to enforce that supremacy. Let them consider what might take place in this Irish Assembly. Consider the possibility of Irish legislation being passed, say, on the Land Question that this House might consider to be oppressive and unjust to a class in Ireland. That was not a large assumption at all, and was a thing likely to come about. Supposing this Parliament to interfere, in that case they would have to interfere against the will of the

Irish Parliament; they would have to enforce their decision against the Irish Executive with no Executive of their own, because the Bill did not provide for a single Executive officer to carry out the will and decree of the Imperial Parliament. Therefore, if they gave away the Executive power, that moment they did away with the supremacy of this Parliament. He ventured to tell the Chief Secretary for Ireland again what he knew he was aware of, that in the Province of Ulster, whilst there was every desire during these proceedings to restrain the indignation of the people, whilst every effort was being made to do that by the law-abiding people of this Province, and the right hon. Gentleman was aware of it as well as any man; but while there was this desire, there was the utmost feeling of indignation in that Province against this House seeking to fasten a most hateful yoke upon the neck of her people.

COLONEL SAUNDERSON (Armagh, N.) said, that his right hon. Friend last night pointed out the fact that no Ulster Conservative Member had spoken on this clause; therefore he was sure his right hon. Friend the Chief Secretary for Ireland would admit that before the Debate closed upon a clause of such importance, not only to the country at large, but to that section of the Irish people with whom he acted, the right hon. Gentleman would admit he had a right to occupy the attention of the Committee for a few moments, and he would be very brief, as he could compass his remarks within a very small boundary. Their opinion was that upon the First and Second Reading of this Bill they adduced various arguments against establishing a separate Legislature and Executive in Ireland, and how were they met on those occasions? They were told that all the detailed objections which they ventured to bring forward would be encountered when they came into Committee, and now, when they came into Committee, not one objection they had offered had even been touched by the Gladstonian Party. They pointed out, in the speeches they made, several grave objections to the establishment in Ireland of a separate Legislature; they showed that the history of the immediate past pointed to the fact that it was absolutely impossible to establish a Legislature in Ireland that

would not be a Legislature of ascendancy. That argument had been treated with absolute contempt. They then pointed out that the Bill as it stood primarily destroyed the supremacy of the British Parliament. How was that met? They were referred by the Prime Minister to various speeches that had been made in this House by hon. Gentlemen below the Gangway which satisfied the right hon. Gentleman, but which did not satisfy them; they did not answer one of the objections they had offered in the course of their speeches on the First and Second Readings as to any real Parliamentary supremacy. The hon. and learned Member for Waterford (Mr. J. E. Redmond) had made many speeches, and had written on the subject, and, according to that hon. Member, the supremacy of Parliament would be endured by the Party to which he belonged so long as it was absolutely inoperative and useless. Other arguments had been used on that side of the House. It was pointed out that the financial scheme of the Government was an ineffectual scheme; that to create a Parliament that would start bankrupt would not conduce to the prosperity of Ireland. That also had been treated by Her Majesty's Government, he would not say with silence, but simply with chaffing or rhetorical allusions. Other arguments had been used by the supporters of this Bill, and threats had been made. He did not know whether the House remembered those threats; but they were told, as one great argument to pass the Bill, that if they did not pass it and establish a Parliament and Executive in Ireland, that the condition of Ireland would be one from which hon. Members below the Gangway would have shrunk with horror. He did not think that was good argument. Years ago he had pointed out that Mr. Parnell had his hand on the throttle-valve of crime. He did not know who had control of the valve at present; but the argument seemed to be that if this Parliament was not terrorised into passing this Bill, the throttle-valve of crime would be turned on by somebody. The late Government, however, proved that they were able to deal with the throttle-valve of crime. Well, how had they been met in this Debate? They were as thirsty men standing in front of rows of corked bottles; they had not got the

corkscrew to pull out the cork, and the only corkscrew that would do so was in the hands of hon. Gentlemen below the Gangway, and they would not use it. As hon. Members below the Gangway were the persons chiefly interested in passing this Bill, he should have thought they would have had some indication why they should pass this clause, around which the mill turned. How had hon. Members below the Gangway met them? They met them in a manner which they could not call argument, by inarticulate clamour, which was a matter with which the Chairman could more appropriately deal. No speech had been made by hon. Gentlemen below the Gangway to back up the statements made on their behalf from the Front Bench. Two remarkable speeches had been made, speeches which the House would remember for a long time—the speech of his right hon. Friend the Member for West Birmingham (Mr. J. Chamberlain) and the speech of the Prime Minister—both, he maintained, admirable in their way; but he thought those two speeches differentiated the attitude which the Unionist Party had assumed and that which the Separatist Party had assumed. One one side they had argument, on the other they had oratory. The right hon. Gentleman the Prime Minister yesterday treated them to 40 minutes of what certainly to him was immense enjoyment. He did not think, since he had been a hunting man, he had ever enjoyed a 40 minutes' run more than he did the 40 minutes of vigorous oratory with which the wonderful Prime Minister—for he was a most wonderful man—entertained the Committee. But he thought that speech was eminently characteristic of the right hon. Gentleman. How did he meet the arguments of the right hon. Gentleman the Member for Birmingham (Mr. J. Chamberlain)? He met them first by calling him a siren; he took some 15 minutes to describe the right hon. Gentleman as a siren. Now, if he remembered anything about sirens, as a rule they did not fascinate people by argument, but by their mellifluous accents; and, therefore, the word "siren" more especially applied to the right hon. Gentleman himself. The right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) brought forward argument after argu-

ment, fact after fact, and the right hon. Gentleman the Prime Minister absolutely refused to contend with one of them. He heard the Prime Minister's speech last night, and he read that speech this morning; and he challenged any hon. Member in the House, from the beginning of the speech to the end of it, to discover one single instance in which the right hon. Gentleman dealt with a single argument brought forward by his right hon. Friend the Member for West Birmingham. He would simply allude to the question of finance. His right hon. Friend very justly pointed out that if the financial scheme of the Bill, as it stood, were carried out, a Legislature and an Executive would be created in Ireland in a bankrupt condition. How did the Prime Minister deal with that? "Oh," he said, "if it was only a matter of a deficit of £100,000 or so, that was merely a matter of manipulation;" but what they wanted to find out was who was to pay the £100,000, and he ventured to say the British electors would also ask the same question. A speech was made by the hon. Member for Sunderland (Mr. Storey) later in the Debate. He thought it was a very straightforward and manly speech, and it might be a speech that contained the real policy of Her Majesty's Government. The hon. Member voted for this establishment of a Legislature in Ireland because he was in favour of establishing similar Legislatures for England, Scotland, and Wales; and so full of generosity was he to Ireland that he was willing to shell out in order to place the Government they proposed to create in a solvent condition. But they expected that the Prime Minister, who was one of the greatest living authorities on finance, when he brought forward a financial scheme in his Home Rule Bill, would have done so in a statesmanlike and sober manner. It was a Gladstonian, statesmanlike, and sober effort to found the finances of Ireland upon Irish inebriety; and it turned out on examination, which the right hon. Gentleman did not himself deny, that the Irish people were a far more sober people than the right hon. Gentleman appeared to believe, and that a great deal of the whisky he imagined was drunk in Ireland was really drunk in Scotland. But the right hon. Gentleman pointed out this fact—that the

whisky might fail, but he would not fail his Irish supporters, and that the deficit would be met some way or other, though the right hon. Gentleman did not tell them how. Then the right hon. Gentleman went on to defend his Nationalist supporters, and was filled with wrath with the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) because he ventured to inquire into the past speeches of hon. Gentlemen below the Gangway, and ventured to ask them if they were willing to retract here what they had said in Ireland and elsewhere. The Prime Minister said that the right hon. Gentleman was not the man to make such an attack as that, and if any man should wear a white sheet for what he had said in former times it was the right hon. Gentleman himself. He (Colonel Saunderson) could only say that if the right hon. Gentleman wished to wear a white sheet and to get one he would find plenty in the possession of the Prime Minister. What was this Bill before the Committee but a white sheet the Prime Minister was wearing to hide from view the memory of Kilmainham! At the end of his speech the Prime Minister made a statement which he thought clearly showed the deep hatred that he felt, at any rate, of one section of the Irish people, and perhaps that explained some of the reasons for resisting Amendments to this 1st clause. He hoped his fellow-countrymen in Ireland would remember these words of the Prime Minister—

"Those who have been associated with the oppressors are down to this moment the first in claiming for themselves an 'unbridled licence.' What licence did they claim in Ireland? They claimed the licence of belonging to the Empire and of living under the authority of Imperial law; but they claimed no liberty for themselves which they were not willing to confer on their neighbours."

[*Laughter.*] Hon. Gentlemen laughed; that was one of the inarticulate arguments they brought forward; and he should be glad if one hon. Gentleman would get up and point out what they claimed as an "unbridled licence" for themselves which they were not willing to confer upon their neighbours. He really thought that the speech of the Prime Minister, so eloquent, so entertaining, might have been curtailed at most into five minutes. If the right hon. Gentleman had started by saying, "I do

not intend to give any information on the points raised by the Unionist Party," that would have disposed of the first part of the speech, and then he might have gone on, "If you will follow me from clause to clause without demanding explanations and confine yourself to the clause itself, then you will gradually be able to grasp my meaning in this Bill." They did not intend to follow that advice. The very just latitude which the Chairman had given them in this Debate proved that he realised the fact that this Bill differed from all other Bills this generation had ever seen, and that it was of such momentous importance to this country and to the Empire as to make it necessary that each clause should be examined in the light thrown upon it by the remainder of the Bill. They (the Opposition) had employed that indulgence in trying to prove to the House that these clauses hung together to a great extent, and that it was impossible to discuss one of these clauses before they had considered the master clause which affected all. The right hon. Gentleman, towards the end of his speech, really showed the House why the speech was made. It was a speech to gag his supporters. The right hon. Member for West Birmingham had challenged hon. Gentlemen below the Gangway to get up and say, for the information of the Government and for the information of the country, whether they were ready in that House distinctly to state what kind of supremacy they were willing to accept for this Parliament when they created a Parliament in Ireland; but not one of them rose in his place. The cheers that greeted the right hon. Gentleman from his Irish supporters on the previous night, he thought, emphatically proved that they were in a tight place; that they felt that the right hon. Member for West Birmingham had placed them front to front with a difficulty out of which they themselves could not escape; and when the Prime Minister, with his wonderful eloquence, came to their support, that he merited the cheers which they gave him for saving the situation. Was there any wonder that hon. Members on that (the Opposition) side of the House had been anxious to have some light thrown upon this Bill by hon. Members below the Gangway who were to guide and govern

the destinies of Ireland when they had Home Rule—and England too? When they talked of the supremacy that they proposed to reserve to the British Parliament, he ventured to say it would mainly depend whether it was worth anything or nothing on the action of hon. Gentlemen below the Gangway who were to form the new Government they proposed to create in Ireland. There was not one of those gentlemen who was deficient in the powers of eloquence; why, therefore, he wondered, did they all sit silent? Because it was an answer they dared not give. They were answerable in that House, no doubt, to the leadership of the right hon. Gentleman, but they were absolutely dependent upon the men on the other side of the Channel who sent them to Parliament; and if the words they used in that House conflicted with what they had stated to their constituents in Ireland, he ventured to say they would have an extremely bad time—worse even than they had now, and that was bad enough—when they visited their constituents. He thought that accounted, at any rate, mainly for the speech of the Prime Minister—a speech which spoke to the Radicals and directed them to keep silent, and which told hon. Members below the Gangway to perform that most difficult of operations—that was to hold their tongues. There was one point he desired to make before he sat down. They had a Government now in Office under coercion. This Home Rule Bill and this Home Rule policy was an extorted Bill and an extorted policy. He could quote speech after speech by hon. Members below the Gangway which absolutely proved to demonstration what he said. There was the hon. and learned Member for North Louth, who was very clear and distinct on the subject. Looking forward, as he did at that time, to the period when the present Government would come into Office, this was what the hon. and learned Member for North Louth said—“If the Liberal Party should fail us.” This dealt directly with the Union of Hearts. The Union of Hearts was supposed to be the spontaneous action of the mutual affection between the Irish Separatists and the English Gladstonians; but he had always warned the Gladstonian Party that the Union of Hearts was a very uncertain

quantity. It was a Union of conditional amorousness. This was what the hon. and learned Member for North Louth said—

“If the Liberal Party should fail us, then we shall be free and independent to deal with them as we were in dealing with the Tories in 1886. I am satisfied they will not fail us.”

Here was the conditional amorousness—

“We have a hand for the grasp of friendship and another to make them quake, and they are welcome to whichever it pleases them most to take.”

Those words clearly showed that the Union of Hearts was a conditional union, otherwise a Nationalist like the hon. and learned Member for North Louth would not say they were welcome to either one or the other. If he was really in love with hon. Gentlemen opposite it would not be welcome to him if they received his hate instead of love. There was a bargain entered into between hon. Members below the Gangway and the Government; and the condition of it was that if the Government would bring in a Bill and create a Parliament and Executive in Ireland, then the hon. Member would confer his love upon the Government. There was no doubt as to the ground the Loyalists took up. They opposed this 1st clause on the highest principle which could actuate the minds of men in opposing any clause. They believed it to be absolutely destructive of freedom and liberty. They would take no part in the Assembly in Dublin, either in the Lower House or the Upper House, and any Amendment they would have to move would be not inside but outside its walls. He ventured to say that the British people, to whom the final appeal lay, were learning more and more every day the character of what was, in his opinion, the disgraceful compact entered into between the Government and their supporters below the Gangway. They had in those hon. Gentlemen a Party elected by the Roman Catholic priesthood in Ireland and subsidised by foreigners. It was a new thing in the history of this country to have a Party in that House subsidised by foreigners; and if any hon. Member would take the trouble to subscribe to and read that very flourishing paper *The Freeman's Journal*, he would see that 12,468 dollars had been cabled over from America to the Nationalist Party. This clause they

were now examining proposed to create a Legislature and Executive in Ireland, and to place it under the authority of men who were subsidised by foreigners. He did not say there was anything disgraceful to hon. Gentlemen below the Gangway in receiving those subsidies, because they looked upon England as a foreign country. But he maintained that when the British public realised, as they must—and they were realising it more and more every day—that this was a compact between the British Government and a foreign subsidised Party, they would be more and more anxious at the next Election to scout the Government and its policy into the oblivion they deserved. They (the Opposition) believed that, in opposing this clause, and in opposing this Bill as they had done, they were actuated by the highest principles that could guide the minds of men, and they were opposing a policy which would destroy their freedom as well as the freedom of Great Britain. And why had this compact been made? Why was it that the Government of this country had consented to a compact so low and so base? Simply for the honour of sitting on the Treasury Bench, for which, for the first time in the history of England, they had been satisfied to sacrifice all other honour.

Sir EDWARD REED and Mr. A. J. BALFOUR rose together; but the former gave way to the latter.

MR. A. J. BALFOUR: I certainly shall not cut out an hon. Member who, I am sure, has a right to speak upon this question, owing to the public part which he has taken with regard to the general Home Rule policy. As far as I am concerned, at all events, I shall not do anything to unduly prolong a Debate which is now, I believe, not far from its conclusion. But, Mr. Mellor, I think that even those who have most reluctantly engaged in these Debates must have now realised that certainly no undue length of time has been taken up by this Committee in dealing with what is, after all, the central citadel of the measure. If we pass this clause, which, though brief in its terms, is pregnant in its contents, we pass the principle of the measure; and all the other 30 or 40 clauses which we shall have to discuss during the next two or three months are all designed to miti-

gate as far as possible and qualify the evils that this 1st clause, unqualified, will bring upon us. They are intended to make that which is fundamentally impossible possible, and to make that which is essentially intolerable tolerable. I do not think they will succeed; but, at all events, we have a right—surely even the right hon. Gentleman the Chief Secretary for Ireland will admit that we have a right—before this clause is finally put to the Committee, to say one or two words both as to the merits of the clause itself, and even more as to the treatment we have received in discussing this clause of the Bill from those who are nominally in charge of it, and who in theory, at all events, are entrusted with the duty of explaining its provisions and their policy to the House. The second speech of the Solicitor General is really by itself an adequate justification of the Debate we have had. The Solicitor General—long desired and anxiously expected—got up late last night, and we listened to him with great interest and profound respect. We gathered that he was going to give us the views of the Government and his great legal authority on the question of supremacy; and what were his views? His views were that the supremacy of the Imperial Parliament was indefeasible, and that even an Act of Parliament or any proceeding to which this House could be a party would be absolutely inefficacious in divesting ourselves of powers which we must to all eternity possess. The right hon. Gentleman the Member for Cambridge University (Sir John Gorst), in a brief recital of certain controversies about supremacy in the last century, pointed out that, on the showing of the Solicitor General himself, the indefeasible authority of this Parliament over Ireland rested upon Statute, and that what Statute had established Statute could destroy. At all events, it is a paradox beyond credibility to say that we could not reverse the process by which the Union with Ireland was accomplished, and could not by a series of Statutes, and possibly by other operations, bring back the condition of things which existed in the time of Grattan's Parliament. I will put one question to the Solicitor General. If the Imperial Legislature is incapable of divesting



itself of its authority, how came it that Grattan's Parliament divested itself of its authority? That was, as I understand, an Assembly of sovereign authority over Ireland; but by various Acts, in which the Irish and the English Legislatures had taken part, that sovereign authority deprived itself of its powers. Without pressing this question further, it is clear that if you went back and reversed one by one each of the steps, statutory or otherwise, by which we have reached our present condition, we should restore the condition existing before 1800—namely, a Sovereign Parliament in this country and another Sovereign Parliament in Ireland. So now we have it from the Government themselves that, so far from the authority of this Parliament being indefeasible, it can be destroyed by the same series of operations by which it was created. But it is not the Solicitor General with whom I wish to deal. After all, it is only his business to treat of the purely legal aspect of the question, and that is always the most insignificant aspect. I have to deal with the speech of the Prime Minister, whom I am sorry not to see in his place. Perhaps, if he is in the building, he will be able to return to the House, or, if not, he will not object to anything I say in his absence. The right hon. Member for West Birmingham made a brilliant and incisive speech, in which he recited, on four or five fundamental points, the arguments which we had advanced upon the 1st clause of this Bill, and pointed out the total absence of any reply given by the Prime Minister at any stage of the discussion. I will only at present take two of those points, and on those two I will test the procedure adopted by the Prime Minister. The first is the question of the retention of the Irish Members, and the attitude which the Government propose to take up some day or other, when we get to it, on Clause 9. The right hon. Member for West Birmingham said most truly that the question of the position of the Irish Members when this Bill passes has the most essential and necessary connection with the question of supremacy; that you cannot discuss supremacy until you know what that position is, and that there is not a clause in the Bill which may not require to be modified in one way or another according

to the decision at which the Government may arrive. How did the Prime Minister reply? He said—

“Is it not a monstrous procedure that we should be asked to pin ourselves now, before we hear the arguments, to one particular solution of a problem which we know to be difficult? We mean to keep an open mind on the question. We have followed public opinion up to this time, and we mean to go on following it, and to ask us to declare beforehand that it is a question of life and death, a question of confidence, that the particular proposals in the Bill should be carried, is to demand a course of procedure which no Government has yet ever taken.”

Let us grant the grain of truth which lies at the bottom of the argument. I do not ask the Government to go to the length of vacating Office if Clause 9 does not pass exactly as it is. I do not ask them to dissolve if they are beaten on any Amendment. I leave that entirely to their discretion when the contingency arises. But I do ask them to have a policy, and, if they have a policy, to tell us what it is. I will explain exactly what I mean. The Prime Minister thinks there is no alternative between nailing your colours to the mast and the policy of throwing a clause down on the Table to be torn to pieces and modified at the sweet will of an irresponsible majority. There is not only a third course, but one that is almost universally adopted by every Government, and which has already been adopted by this Government in another connection. I ask them to do no more in defining their own proposals in Clause 9 than they have done with regard to the question of the two Chambers. I ask them to do no more than declare that they are going, in order to carry out their policy, to exercise the same gentle pressure which made their whole Party assent to the principle of two Chambers. I ask, then, are they going to do that? Do they think that this question is so absolutely insignificant that it is competent for a Government which professes to govern—competent for hon. Gentlemen who profess a Home Rule policy—to know so little about that policy that they will not even lay it upon the Table, and, as I say, use the ordinary machinery of legislation in this House to see that the proposals they approve of are carried into effect? No, Sir; it appears that the Government, as far as we understand their position, are going to propose a clause in this House; but, as we shrewdly conjecture, a very

moderate degree of discussion, and a very gentle amount of violence, will induce them to fall; and all we want to know is—In what direction are they going to fall? It is not too much to ask them, in discussing this matter, that we should have some slight adumbration of the line they propose to take. I pass from that illustration of the reply given by the Prime Minister to one which I think is even more characteristic and important. It dealt with the declarations, made by one of the two Parties to the bargain about Home Rule, with regard to the supremacy of Parliament after Home Rule was passed. The right hon. Member for West Birmingham read a number of extracts from the utterances of hon. Gentlemen below the Gangway, stating the views which they held on this subject. How was this case met by the Prime Minister? He turned round, and in the most impassioned accents asked the right hon. Member for West Birmingham whether, if he was attacking the consistency of hon. Gentlemen below the Gangway, there was a more inconsistent gentleman in the House than himself? If I understood the right hon. Member for West Birmingham—and, unlike some other great orators in this House, his meaning, at all events, is usually clear—he was not reproaching hon. Members below the Gangway for inconsistency, but rather for consistency. If the right hon. Gentleman had wanted to deal with inconsistency, it is not to those Benches below the Gangway he would have turned, but to that (the Treasury) Bench, where we see put up, like specimens in a museum, every possible species of the genus pervert, from the Prime Minister, who has run through the whole gamut of political opinions in his life, down to the Chancellor of the Exchequer, who has changed his opinions much less often, but who, when he does change them, changes them with such explosive and rapid violence that we hardly know how to follow the strange career which he pursues. But the questions put to hon. Gentlemen below the Gangway were not by way of criticism of their consistency or their inconsistency. They were demands for a plain answer to a plain question. And why is that plain answer not given? It was not given because

the Prime Minister, with great judgment as I thought, implored his allies below the Gangway to hold their tongues. The Prime Minister and hon. Gentlemen below the Gangway have made a kind of compact in dealing with this Bill. He is to manage this Bill by way of oratory, and they are to manage the Bill by way of interruption, and the mutual support thus given appears to be eminently satisfactory to both Parties. But I notice the right hon. Gentleman, whatever else he may do to hon. Gentlemen below the Gangway, does not trust them to defend their own case. He reminds me of the Homeric deity who came forward when some friendly hero got into trouble and involved him with clouds—in this case in a cloud of words—and carried him from the field. In this case the right hon. Gentleman's Irish allies are permitted to escape by being involved in a cloud of words, and they are carried from the field in safety. The right hon. Gentleman, in a speech of astonishing eloquence, though, perhaps, of a somewhat flimsy description, declared that hon. Members who were suffering from oppression could not be expected to say exactly what they meant. I may, however, remind the Committee that none of the quotations given by the right hon. Member for West Birmingham (Mr. J. Chamberlain) last night were of an earlier date than 1891 or 1892; while one of them was from a magazine article written since the Dissolution and since the present Government came into Office, and by that time I presume that the reign of confusing oppression had come to an end. The question put to the Irish Members yesterday by the right hon. Member for West Birmingham and which the Irish Members were not allowed to answer was a plain one—namely, whether they were prepared or not to adhere to their reiterated declarations with regard to the freedom of the Irish Legislature from the control of the Imperial Parliament? If those hon. Members do adhere to those declarations, hon. Members opposite sitting behind the Government are living in a fools' paradise, because they have been led to become parties to a compact which is opposed to the principles which they profess. If, on the other hand, the only other possible alternative is to be accepted, then hon. Members below the

Gangway must have given up all the declarations they made in 1891 and 1892, and their magazine articles are so much waste paper; and in that case let them state that their views upon this question are altered. The only reply of the right hon. Gentleman the Prime Minister to this argument of the right hon. Gentleman the Member for West Birmingham was that he was content with the Parliamentary utterances of hon. Members below the Gangway, and that he had heard four very excellent speeches delivered by representative Irish Members below the Gangway, and that hon. Members below the Gangway entirely accepted the proposals of the Government, and, therefore, threw over entirely their recent declarations. It is impossible for this House to proceed with the Bill in Committee with any confidence that the measure is to be a permanent settlement whilst the silence below the Gangway remains unbroken. I must admit that even if the hon. Members below the Gangway were to make *bonâ fide*, as I am satisfied it would be, the statement that their declarations of 1891 and 1892 were inaccurate, my own confidence in such a statement would be very little increased. It is impossible for us to say how long such fresh convictions on the part of hon. Members below the Gangway will stand. When hon. Members make declarations not only on the part of themselves, but of the Irish people and of the Irish race all over the world, and suddenly assert that their opinions on matters in respect of which those declarations have been made have undergone a change, I do not think that any deep root of permanence can be expected to result from such declarations or from such changed opinions. If the hon. and learned Member for Waterford (Mr. J. E. Redmond) were to come down to the House and were to say—"I have recently made declarations to the effect that I would only be satisfied by the creation of an independent Parliament for Ireland; but I have changed my conviction and am now quite ready to be a party to a new bargain under which the Irish Legislature is to be a subordinate one," I ask what confidence could any hon. Member put in such a declaration on the part of the hon. Member? We should be driven to the conclusion that Parliamentary pressure had been

brought to bear upon the hon. Member under which he had been compelled to alter his views. The world has only to look at the general tenour of the utterances of the hon. and learned Member for the last few years to see that he has never denied the abstract right of the Irish people to have a supreme Parliament for themselves, and that he still maintained that right on their behalf. I think that I have, in no violent language, re-stated the argument of hon. Members below the Gangway, and I think that hon. Members sitting behind the Government will find it difficult in their hearts to refute or to ignore my statement. The only excuse that hon. Members opposite can put forward for supporting this proposal to set aside the authority of the British Parliament is that it will lead to a final settlement of the Irish Question; but if they will candidly consider the list of authorities quoted by the right hon. Member for West Birmingham, and which are not yet repudiated by the Irish Members, they will see that their hopes of a final settlement are founded upon a quicksand, and that the smallest storm or the slightest flood would bring those hopes in ruin to the ground. I put it to the hon. Members opposite that, in accepting the principle of this Bill as a final settlement, they are following men who, upon their own confessions, do not know their own minds. ["No!"] Well, perhaps they have not told us what their own minds are. We do know what their own minds were in 1892; but we do not know what they are now. They are following men who either do not know their own Bill, or, if they do, will not tell us what it is, or they are following men who do not know their own mind, or, if they do, will not tell us what that mind is. These are not conditions under which victory is possible, or under which sound legislation could be carried into effect. Therefore, I must earnestly implore hon. Members, before it is too late, to register their verdict against this fundamental and essential clause of the Bill, without which the whole of the rest of the measure must necessarily perish.

\*SIR EDWARD J. REED (Cardiff) said, he thought no reasonable person who considered the nature of this clause, and the magnitude of its effect, could complain of its having occupied a good deal of the time of the House. He hav'

himself no intention of speaking that day, but for the speeches of the hon. Member for South Tyrone (Mr. T. W. Russell) and the hon. and gallant Member for Armagh (Colonel Saunderson). It seemed to him (Sir Edward Reed) quite astounding that they should give away so much of their case because of the prospect of this clause passing; for, while on the Ministerial side they had no reason to complain, or at any rate to be surprised, at the length of the Debate, neither could the Opposition have any reason to be surprised at their maintaining that a great Debate was not necessary on the 1st clause, for the simple reason that every man in that House pledged in any way or degree to Home Rule for Ireland must approve of this 1st clause. With regard to the speech of the hon. Member for South Tyrone, he seemed to infer from the fact that they were disinclined to introduce the word "subordinate" into the clause that, therefore, they on the Ministerial side had abandoned the idea of Ireland possessing a subordinate Legislature, and he had taken pains for years to gather together the statements which hon. Members on the Ministerial side had made in this respect. Well, he need not take any trouble about his (Sir Edward Reed's) speeches, for he told him in the frankest manner that he had never advocated, never thought of advocating, and never would advocate—and in the final result would not vote for—any Bill giving a Legislature for Ireland which did not provide for the full control, properly defined, of the Imperial Parliament. But he found great difficulty at that stage of the Bill to seek to give effect to this view, because it was only when they had the Bill as finally settled before them that they could determine whether the supremacy of this Imperial Parliament had been in any way interfered with. Consequently, he sat with much complacency and listened to the Debate at that stage, because he was satisfied that the introduction of the word "subordinate" into the clause, if agreed to, would have given no kind of satisfaction or security to the opponents of the Bill; and because he was quite sure that if they were to be satisfied and were to have sufficient security, that must be brought about in the manner defined by the Prime Minister by the introduction of

a special clause in the Bill, making due provision for all that was desirable. Members opposite seemed to be much disposed to cast contempt upon Members on the Ministerial side of the House, because hitherto they had been voting solidly in connection with this Bill. ["No!"] At all events, they had done their best to make the Ministerial Party vote solidly, because, in his own case, which he took as an example, no sooner did his opponents find he was engaged in a controversy with a section of his constituents than they brought out a Conservative candidate to take advantage of the situation. The effects of that transaction had been to make hon. Members on the Ministerial side of the House, who wished to exercise an independent judgment on this Bill, not, he hoped, to sacrifice in any degree the independence of their judgment, but to be very careful in the exercise of that independence. Well, he was rather astonished to hear opponents of the measure laying so much stress on the fact that Nationalist Members from Ireland had not spoken in this Debate. He was at a loss to understand why they should speak. This clause provided for the establishment of an Irish Legislature. They could not say anything in objection to that. What could they have to say in support? He would admit this to the Opposition. He attached, himself, little weight to the phrases used by some high and responsible persons on the Ministerial side, touching "the Union of Hearts," and in making appeals to the loyalty and good feeling of Irish Members; and he might say he heard with considerable pain, the other night, the Prime Minister speak of all those transactions in which hon. Gentlemen opposite (the Irish Nationalist Party) were engaged in times past, and which were universally condemned. He was sorry to hear the Prime Minister minimise their past conduct by saying there were occasions when they had stepped slightly from the straight line of perfect wisdom. Wrongful acts performed years ago remained wrongful acts still; and he found it hard, not to say impossible, to reconcile any instigation of their committal with the principle of justice and morality. But that did not alter his willingness to give Home Rule to Ireland. The language he should prefer to employ was this. He should

say—"In the past you were in a rebellious state of mind, carrying on after a certain fashion what you yourselves regarded as rebellion and revolution; and now by this Bill—if it passes—you will be placed in a position of the greatest responsibility. You will be charged with the interests of your country; and I should hope you, under these conditions, will turn from the methods and practices by the rebellious period and do what revolutionists have done in many ages—become excellent legislators and administrators of their country." The Ministerial Party need not be frightened by these words, though they used them. Probably the House was familiar with the lines of one of the poets, in which he spoke of rebels or rebellion, and said—

"How many a spirit born to bless  
Hath perished 'neath that withering name,  
Whom but a day's, an hour's, success,  
Had wafted to eternal fame."

He would strengthen himself in that position by a remark made by the late Mr. Parnell. He did not know whether it was just to Mr. Parnell's memory to relate this; but he could not avoid mentioning a matter bearing so intimately on the case before them. In conversing once with him, Mr. Parnell made this observation—"You must remember, when Home Rule is passed for Ireland, I and my friends will be the Conservative Party and the principal Party of Ireland, because the result of the past life of Ireland is such that there are many men in Ireland of an extremely troublesome character; and it will be my duty, when charged with the responsibility of government, to deal with them—and we shall be bound to deal with them—from a Conservative point of view." Mr. Parnell added this—"You must bear in mind that the Parliament we are to have will be but a statutory Parliament, and that the power which created it—namely, the Parliament sitting here at Westminster—can destroy it at any time; therefore it will be on its good behaviour." Perhaps he (Sir Edward Reed) might now remark on other parts of the Bill in relation to this clause. He confessed he sympathised very much with the Opposition in their desire to know more definitely and definitively what the Government intended in reference to the representation of Ire-

*Sir Edward J. Reed*

land in that House. It was no use in these matters or any others arguing in a circle. It was no use saying—"We must know before we pass the 1st clause what is to be the future of this Parliament"; any more than it was necessary to say—"We must know what are to be the financial conditions before we pass the 1st clause." But it was rumoured in the Press that one of the things contemplated by the Government was to retain in this Parliament the whole representation of Ireland, with freedom to vote on all subjects. All he could say was that it would be impossible for the human imagination to conceive a set of conditions more absolutely irreconcilable with those conditions under which Members on the Ministerial side first persuaded their constituents—as they had often to do—to become reconciled to their doctrines. And when this question was viewed in relation to the present state of the representation of the other parts of Great Britain, it gathered tenfold force. He had the privilege to represent 150,000 people in the House; and was he to be told that after the passage of this Home Rule Bill he should possess only one-eighth of the representative power in the House of hon. Members from Ireland? That they should have eight Members to represent 150,000 people, and that Cardiff should have only one? Why, a Redistribution Bill, as an antecedent condition to such a state of things, would be absolutely necessary; and, in his judgment, the Government would have to take careful account of that consideration before they came to the Third Reading of the Bill; because, while there might be many things hon. Members would do to support their Party, one thing they would not do was to participate in a wholesale manifold injustice to the people they represented. While he held that view, he was not anxious on the point at present, for the reason that the Prime Minister had stated more than once that Clause 9—he had given his pledge to that as a reason why they should pass Clause 1—he had pledged himself to the effect that Clause 9 might undergo modification by the House. He was only waiting for the decision of the House on Clause 1; and if the Prime Minister were, when the time came, to use his power and authority with the Ministry in order to

force upon his supporters the expediency of a particular solution of that question, after that unlimited promise and pledge, he should regard the transaction as a breach of faith, and he should not be prepared to acquiesce in it. He did not wish to trespass on the time of the Committee. [*Cries of "Go on!"*] He had thought it necessary to say a few unprepared words, for the reason that he was not able to understand why hon. Members should think their case was gone when the clause was passed. They should bear in mind, as he had already said, that this clause must be supported by every man who sat there as a Home Ruler. Such a man could not possibly vote against it. There was no language in it which would justify them in voting against it. Not to vote for it, a man must give up his Home Rule views and principles altogether. He was so anxious about the supremacy of the Imperial Parliament that he should watch with the utmost care the course the Government took in respect of it; and, more than that, he knew there were many hon. Members on the Ministerial side who would be prepared to do the same, and were regarding the course of the Government in that respect with great anxiety. He was so sensitive on the point himself that the other night he would not vote against the introduction of the word "subordinate," although he could not vote for it. But he did not wish to take any step that would seem to compromise him with his constituents, or drive him from the position he had held with them. Not on the Ministerial Bench only, but on the Liberal Benches behind it, men were to be found who had given explicit engagements to their constituents that nothing but a subordinate Parliament was contemplated. But there was another side to the question—and he would ask their opponents to regard this side of it with proper consideration and respect—that those who were really in favour of Home Rule for Ireland were anxious not to give a Home Rule that would not and could not work. They had no right to charge a body of men or a nation with the responsibility of conducting their own affairs and beset them with restrictions and engagements which would deter them from performing their duty in a proper manner. He believed that feeling existed in its full

strength in the minds of all Members on the Government side. At any rate, he might say this—that some of the younger Members who had recently come into Parliament, and were, not unnaturally, impatient with its slow process, should remember that they were dealing with a question which puzzled not only the Opposition, but the Government to do full justice to their own views and intentions. The speeches of the previous night by the right hon. Members for Cambridge University (Sir John Gorst) and East Manchester (Mr. A. J. Balfour) showed there were difficulties in the matter for them as well as for the supporters of the Government. The assurance he (Sir Edward Reed) gave to the Committee was that he—and he believed that there were others on the Ministerial side—was anxious, on the one hand, to give the Irish Members every possible fair chance for the due performance of the obligations this Bill would cast upon them, and, on the other hand, to do nothing which would impair the authority of the Imperial Parliament.

\*MR. T. H. BOLTON (St. Pancras, N.) said, he had not had an opportunity of speaking on the Second Reading Debate; and he, therefore, asked the indulgence of the House to say a few words of a general character on the discussion of the 1st clause of the Bill. He was one of those who came within the category mentioned by the noble Lord opposite—that was to say, a moderate Gladstonian Home Ruler. He admitted that he was committed, like a good many hon. Members on that side, including the hon. Gentleman who last addressed the House, to a policy of Home Rule in dealing with Irish affairs; but he was also distinctly pledged to do nothing whatever which would impair the full authority of the Imperial Parliament in dealing with Irish affairs if necessary, as well as with English or Imperial affairs. As the hon. Member had indicated, in his own case, when the Bill had passed through Committee, it would be for him (Mr. Bolton) also to consider how far it met those conditions which he considered essential in connection with any measure of this kind; and if he found that it did not, to modify his attitude with reference to it. With regard to this particular clause, he had voted against certain Amendments that had

been moved, because he thought that the Amendments with which he sympathised had better come in another form in other parts of the Bill. He fully intended that there should be only a subordinate Legislature in Ireland; but he did not desire that, associated with the description of the Legislature in this clause, there should be terms used calculated to give offence, and which would be for any practical object inoperative. Distinguished Constitutional lawyers suggested that it was necessary to strengthen the special statement in the Preamble by adding declaratory words as to the supremacy of the Imperial Parliament in the main parts of the Bill. What harm could there be in setting forth in the measure that the Irish Legislature was a subordinate one if it really was intended that it should be subordinate? He (Mr. Bolton) had heard, with great satisfaction, the observations of the right hon. Gentleman at the head of the Government, in which he distinctly laid it down that he would be prepared to consider, and consider favourably, any practical proposal to give effect to these requirements. The right hon. and learned Gentleman the Member for Bury (Sir Henry James) had put an Amendment on the Paper to Clause 2; and he hoped the Government would very seriously consider whether they could not accept that Amendment. Possibly a clear, specific, Declaratory Clause, either at the commencement of the Bill or at the end, would have been more satisfactory even than the Proviso of the right hon. Member for Bury; but if the right hon. Gentleman was satisfied—and he was a great Constitutional lawyer—he (Mr. Bolton) would be satisfied also. The right hon. Gentleman had given a very forcible reason why an Amendment of this kind should be adopted. He stated that the Act would not be construed only by distinguished Judges sitting in high places of judicial authority, but would have to be considered by comparatively small Judges and Magistrates, in remote parts of Ireland; and it was desirable that there should be, in no unmistakable way, on the face of the Statute a clause setting forth that the Legislature created was distinctly a subordinate one. He would not labour the argument. It was sufficient, as a

*Mr. T. H. Bolton*

friend and supporter of the Government, to urge them to consider the suggestion of the right hon. Gentleman in a sympathetic way; and he appealed to hon. Gentlemen from Ireland to give a fair and dispassionate consideration to the proposal, because they had to satisfy not their enemies but their friends and the general British public, who were somewhat anxious about this and some other points. The veto should be clear and explicit, resting in the hands of the responsible Ministers of the Crown—not the Irish Ministers, but the Ministers having the confidence of Parliament. It should not be exercised in unimportant matters, or in domestic matters which concerned especially the Irish people, and did not outrage the sense of justice of the general community. The veto should be a practical weapon which should not be needlessly or recklessly used or flourished offensively, but which should always be effective if occasion arose. With regard to the Imperial Judiciary, it was desirable that, as in the United States, it should have a visible existence throughout Ireland. It should not be mixed up with the local Irish Judiciary.

Mr. LABOUCHERE rose to Order. He asked whether the hon. Gentleman was in Order on this clause in referring to the Judiciary?

THE CHAIRMAN: The hon. Member is, no doubt, going too much into detail.

Mr. BOLTON said, he admitted he was going somewhat beyond the clause; but, from circumstances which were within the knowledge of the House, he had not had an opportunity of speaking on the Second Reading. He at once accepted that intimation from the Chair. As to finance, which was a subject which would come within the control of the Irish Legislature, he could not support the observations of the hon. Member for Sunderland (Mr. Storey) that the British public were indifferent as to spending £500,000 a year to enable the Irish Legislature to carry on its business. If they supplied the Irish people with a Legislative Assembly, there was no responsibility on their part to find it, at the expense of the British public, with money to carry on its operations, and he did not believe the Irish Representatives could be so foolish

as to imagine that they would get an endowment from the British people in connection with their legislative affairs. They only wanted, so they said, and he believed, to have fair treatment. He also hoped there would be some provision to adjust as between this Parliament and the Legislature to be created other questions, such as the Land Question, so that they might know before the Bill left the House whether the Imperial Parliament was to deal with that question within three years, or whether it was to be left to the Irish Legislature, and, if so, upon what terms. He should also like to refer to another matter—namely, the question of Ulster. He agreed with the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) that the Ulster Members had made a great mistake, as they believed that they would be injuriously affected by the Bill in not proposing that they should be excluded from its operations. It was almost impossible for Members like himself, who desired to do full justice to the claims of Ulster, to overcome the difficulty the Ulster people put them in. What they said amounted to this—“We don't want Home Rule for ourselves, and, therefore, we won't let the rest of Ireland have it.” That was almost a dog-in-the-manger policy, and placed those who desired to give fair and just consideration to the claims and representations of Ulster in a position of great difficulty. He believed they would find that by adopting a policy of that kind they would lose the sympathy of the British public. The Prime Minister had committed himself to giving Ulster separate treatment if Ulster desired it. If Ulster was not to be excluded from the Bill, having regard to recent events there, they must consider what guarantees and securities should be put in the Bill with the view of satisfying the anxieties of the people of that Province and of reconciling them to the policy of the measure. He could not conceal from himself that this measure was really a large experiment. He did not regard the Bill with the feeling of absolute confidence that prevailed in some parts of the House. He had tried several modes of govern-

and, coercion having failed, he admitted that sooner or later the question of local self-government was given to Ireland

by one Party or the other and on the lines of the present Bill—reduced in its scope and character. Certain it was that if the Party opposite came into power they would have to introduce a measure of local government for Ireland. Therefore, he asked himself—and he asked hon. Gentlemen opposite—whether it was not better, instead of ungenerously criticising the Bill as a whole, to endeavour to make it a practical measure acceptable to all parties. If they would do that he promised them they would have the support, if not of many Members, at any rate of some men on the Liberal side. This Bill was, he said, a great experiment. He knew there were Members prepared to vote for anything and everything at the bidding of their Party Leaders; but there was a certain amount of independence in certain quarters of the House, and there were Members who were prepared to say what they thought about the Bill, who were not afraid to make suggestions and state objections—not offensively, but with the determination of having them fairly and reasonably considered. This Bill, he repeated, was a large experiment, which he looked upon with hope rather than with confidence or certainty. But he believed if the Bill was brought within the practical lines and the scope of an enlarged measure of Local Government, such as the Prime Minister had, in his speech introducing the Bill, in one place referred to it, it would be acceptable to the country, and ultimately become law. He admitted that they ought to go as far as they could towards satisfying the wishes and requirements of Irishmen; but they were not bound to grant everything that was asked. While we were willing to advance towards the hopes and desires of Irishmen they, in their turn, must be willing to consider the doubts and anxieties that existed in the minds of our people in this country. There ought to be no objection to reasonable safeguards in the provisions of the Bill, and the supremacy of the Imperial Parliament ought to be placed beyond doubt. While he would give the Government a general support in dealing with the Bill, he would reserve to himself the right of voting independently upon such Amendments as would bring the Bill within the lines he had indicated.



Mr. MACARTNEY rose—

Mr. John Morley rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes 308 ; Noes 260.—(Division List, No. 80.)

Question put accordingly, "That Clause 1 stand part of the Bill."

The Committee divided :—Ayes 309 ; Noes 267.—(Division List, No. 81.)

Clause 2 (Powers of Irish Legislature).

Mr. CAVENDISH (Derbyshire, W.) said, he wished to move to omit the words, "with the exceptions, and subject to the restrictions in this Act mentioned." He must, in the first place, ask the Committee to afford him that indulgence which, he believed, was generally accorded to a Member rising for the first time to address the House, his object being to make clear the subordinate character of the Irish Legislature by defining what powers it should be permitted to exercise. The Amendment would raise a discussion upon the principle upon which the powers to be conferred upon the Irish Legislature should be given. Obviously there were two methods, and the Prime Minister had indicated the two courses when introducing the Home Rule Bill of 1886, the two courses being the endowment of the new Legislative Body with special and specific powers, or the conferring of general powers with special exceptions. The course he (Mr. Cavendish) was advocating had, therefore, the support of authority ; but it was a course open for a Government to adopt. He hoped he would not be accused of raising debate with no distinctive Amendment, because it was the first formal Amendment which would be necessary if the Committee should deem it desirable to depart from the principles embodied in the clause, that of giving general powers to a Legislative Body with the exclusion of certain subjects in favour of the principle he advocated, that of enumerating particular and specific powers which the new Legislature should exercise. Of course, it might be urged that he did not fully bear the responsibilities which attached to such a proposal, inasmuch as

he did not proceed to a definition of those powers ; but an argument of that kind would have less force when he said his object was simply, in the first place, to invite a decision as between the two principles of delegation and exclusion. If this Amendment were carried, then, of course, consequential Amendments would have to be filled in ; but if the Committee refused to adopt the principle of delegation, of course enumeration of subjects would be unnecessary. Only after the acceptance of the Amendment would it be necessary to enter upon the consideration of what the specific subjects should be. It would be presumptuous in a young Member of the House to take upon himself the grave and severe duty of suggesting the course the Government should follow ; but it was for the Government to indicate—whatever principle was adopted—what in their opinion the powers of the new Legislature should be. He preferred—though he was prepared to state his views of what the delegated powers should be—to leave that part of the subject to those more qualified by experience to lead opinion. He did not shrink from the duty as an impossible one, and in the British North America Act of 1867 there was a precedent, for in Section 92 certain subjects were named which were allowed by the House to be dealt with by the local Legislatures, and by those alone. Not only was that Act a precedent for the case he was now putting before the Committee, but also in the enumeration of subjects there was a list which with slight alterations might fairly be applied to Ireland. In pointing out the reasons in favour of granting specific powers to a subordinate Parliament as preferable to the principle embodied in the Bill, there was this to be said—that the latter was vague and shadowy, and, as had been pointed out, the restrictions could, with the exercise of a little ingenuity, be evaded. As impressing his views on the Committee, he would quote the opinion of a distinguished jurist, a learned Judge of Ontario cited in *Dodd's Parliamentary Government for the Colonies*. It was there stated that the Sovereign power had created several Governments, one of which was made superior and all the others were subordinate, and that certain definite subjects were to be dealt with by the subordinate Governments, but that all powers which were necessary

for the peace, order, and good government of Canada were reserved to the superior Government of the Dominion. That arrangement would be equally applicable in the case of Ireland. Although Her Majesty's Government had confessed that this Assembly they proposed to establish was subordinate to the Imperial Parliament, they refused to embody that in terms in their Bill, and now he asked the Government to take a step which would make that Legislative Body truly and really a subordinate one. By the reception of this proposal they would show more clearly and precisely what the relationship between the two Parliaments would be. The present proposal was indefinite, vague, and shadowy, and perhaps hon. Members had a belief in their power to override the intention of the Act; but whether that would be possible or not, certainly it would be more satisfactory to know exactly the power the subordinate Parliament would have. In all cases where the House had delegated or conferred any power on any subordinate Body he believed the House had stated precisely and exactly what those powers should be, and that they should not be enlarged. There would be this difficulty in Ireland—that an Act of the Joint Legislature, outside its powers as an Enacting Body, would not have the force of the law; and, therefore, it might happen that the humblest Magistrate, sitting at Petty Sessions, might be called upon to decide, in relation to proceedings before him, whether the Irish Legislature had exceeded its powers. From either point of view, from the point of view of those who wished to see the Act in operation, and those who did not, there must be the wish that any Act passed by the Irish Legislature should have no doubt of its validity attaching to it. By accepting the principle of naming certain powers as within the provisions of the Legislature the difficulties would be to a large extent removed; but, as the Bill now stood, it would be necessary for the highest tribunal to say whether the Acts passed were as such as were within the powers of the subordinate Legislature. He expected no support from those who did not desire a subordinate Parliament; but he turned with some confidence to those who on platforms throughout the country had declared the intention of giving Ireland a local Parliament;

for the management of local affairs, and nothing more. It was to be presumed that when hon. Members made these statements they had some idea what was meant by local affairs. Indeed, he believed there were some supporters of the Government who had gone very far in definition of powers for the new Parliament. He avoided mention of names, but there was a considerable section of supporters of the Government who somewhat approved of the policy now known as the gas and water principle of Home Rule. If the Government were unable to specify the subjects with which the Irish Legislature was to deal they might embody clauses in their Bill. Much had been said of the old language being abandoned, and he was willing to accept the retractions; but still he contended it would be wiser and more statesmanlike to confer first limited powers on the new body, and then upon the result and in course of time further powers might be conferred. This was an experiment, and too much caution could not be exercised. Under the happy Constitution they enjoyed the powers of Parliament had grown slowly from small beginnings, and undoubtedly in undertaking great constitutional changes they would do wisely to proceed slowly among the stumbling blocks that often attended the attempt at a too rapid rate of progress. Undoubtedly in Ireland and in England there were grave fears as to the result of the operation of such an Act as this, and he could not say that a too rapid rate of progress, if adopted, would remove those apprehensions. At any rate, they would be somewhat allayed if the power of the Legislature were strictly and clearly defined. It was no matter for surprise that doubts were expressed of the result of conferring extensive and general powers; and though he might be accused of ungenerous mistrust, and told that he should give the Irish Parliament everything, yet still he insisted that in such matters of deep importance it was wiser to adopt the safer and surer way.

Amendment proposed, in page 1, line 14, to leave out all the words from the beginning of the Clause to the word "there," in line 15.—(*Mr. Cavendish.*)

Question proposed, "That the words 'with the exceptions' stand part of the Clause."

MR. MACARTNEY moved to report Progress, for the purpose of calling attention to the conduct of the Government in moving the Closure on the last clause. [“Order, order !”]

THE CHAIRMAN : The Closure being the act of the Committee, it cannot be called in question.

MR. MACARTNEY would only then express a hope that in the future conduct of Debates on this Bill the Chief Secretary—[*Loud cries of “Order !”*]

THE CHAIRMAN : The hon. Member is indirectly doing that which I have informed him would not be in Order.

MR. MACARTNEY again rose.

It being ten minutes to Seven of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again upon Monday next.

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 4) BILL.—(No. 319.)

Read a second time, and committed.

#### MESSAGE FROM THE LORDS.

That they have agreed to—Municipal Corporations Act (1882) Amendment Bill ; Reformatory Schools (Scotland) Bill, with Amendments.

#### ROYAL ASSENT.

Message to attend the Lords Commissioners ;—

The House went ;—and, being returned ;—

MR. SPEAKER reported the Royal Assent to—

1. Customs and Inland Revenue Act, 1893.
2. Local Authorities Loans (Scotland) Act (1891) Amendment Act, 1893.
3. Police Disabilities Removal Act, 1893.
4. Post Office (Sites) Act, 1893.
5. Suffolk Joint Committee (Borrowing Powers) Act, 1893.
6. Local Government Board (Ireland Provisional Order Confirmation (No. 393,

#### EARLY CLOSING BILL.

On Motion of Sir John Lubbock, Bill to provide for the Earlier Closing of Shops, ordered to be brought in by Sir John Lubbock, Mr. Chamberlain, Mr. Barry, Colonel Bridgeman, Mr. Cameron Corbett, Mr. Fenwick, and Mr. Mather.

Bill presented, and read first time. [Bill 357.]

#### CROFTERS' HOLDINGS (SCOTLAND) ACTS EXTENSION BILL.

On Motion of Sir William Wedderburn, Bill to extend to the counties of Banff, Aberdeen, Kincardine, Elgin, and Nairn certain provisions of “The Crofters' Holdings (Scotland) Act, 1886,” and any Acts amending the same, ordered to be brought in by Sir William Wedderburn, Dr. Farquharson, Mr. Buchanan, Mr. Crombie, and Mr. Seymour Keay.

Bill presented, and read first time. [Bill 358.]

#### PRISON OFFICERS (SUPERANNUATION).

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to amend certain provisions of “The Prison Act, 1887,” with respect to the grant, out of moneys provided by Parliament, of Superannuation Allowances to Prison Officers.

Resolution to be reported upon Monday next.

#### SELECTION (STANDING COMMITTEES).

SIR JOHN R. MOWBRAY reported from the Committee of Selection ; That they had discharged the following Members from the Standing Committee on Law, and Courts of Justice, and Legal Procedure :—Mr. Herbert Gardner and Mr. Bryn Roberts ; and had appointed in substitution : Mr. Fenwick and Mr. Mather.

SIR JOHN R. MOWBRAY further reported from the Committee ; That they had discharged from the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, the following Member :—Mr. Fenwick ; and had appointed in substitution : Mr. Herbert Gardner.

Reports to lie upon the Table.

#### PARLIAMENTARY DEBATES.

Report from the Select Committee, with Minutes of Evidence, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 213.]

## EVENING SITTING.

## ORDERS OF THE DAY.

## SUPPLY.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed,  
"That Mr. Speaker do now leave the Chair."

## COMPULSORY VACCINATION.

## RESOLUTION.

\*MR. HOPWOOD (Lancashire, Middleton) rose to call attention to the law making vaccination compulsory, and to move—

"That the law compelling vaccination of infants and young persons is unjustifiable, and ought to be repealed."

The hon. Member said that, in proposing this Resolution, he had undertaken a duty which he knew to be an important one, and he hoped that it would not fail because of the incompetency of the advocate. He stood there as the mouth-piece, on this question, of the country, whose voice with regard to it had not for many years found due expression in that House. The House of Commons in past times had been induced by promises expressed by medical opinion which were unfulfilled, and by assertions the truth of which had never been established by proper evidence, to pass a Compulsory Vaccination Act. His first proposition was that it was monstrous to enforce upon the people of the country compliance with a medical rite which was utterly useless as a safeguard against small-pox. During the last century inoculation was just as much favoured and supported by the medical profession as vaccination was in this century. Small-pox was introduced into the system by inoculation under the notion that it prevented further attacks of small-pox. They were surprised when Irishmen made "bulls." When Irishmen said something of an ingenuous kind—something that was paradoxical—they were inclined to laugh. Just see what inoculation meant as an Irishman would put it—"Sure the boy may be liable to an attack of small-pox, and sure the surest way is for me to give it to him straight." In the last century, in order that a man might escape the chance of small-pox, they gave him small-pox. It was the

same way with vaccination in this century. In order that a child might escape the chance of a disease they gave it a disease. Generation after generation they put disease into the arms of successive infants—infants that were going to be the fathers and mothers of future families; and they added to the sum and reserve of the diseases of the world an added quantity, of which they knew not the range, the effect, or the result. Vaccination was introduced by Dr. Jenner. He advised anyone who was curious to note how from small beginnings and little shams great things arose in this world to read the history of Dr. Jenner and his system. He would not dwell upon that, but would only say that when vaccination was first propounded to the House of Commons it secured for its fortunate discoverer, or so-called discoverer, £10,000, and a little later a further sum of £20,000, the pretence then being that vaccination afforded a complete and entire safety against small-pox. But why should vaccination be compulsory? He contended that all the evidence was against compulsion. Lord Henry Petty, speaking in 1806, said—

"I have not the smallest inclination to propose any compulsory measures, being well convinced that, whatever may be our view of any subject of science, this House ought to pause very long indeed, before they prescribe any law to individuals upon matters which relate to their own health, and even on which the very existence of their children may depend. These, indeed, are topics upon which private individuals in society are to be allowed to be the most competent judges."

And two years later no less a person than George Canning spoke words of weight in the same sense—

"Although I consider the discovery of vaccination to be of the very greatest importance, yet I cannot imagine any circumstances whatever that would induce me to follow up the most favourable report of its infallibility with any measure for its compulsory infliction."

He would now quote one who was still amongst them—one who was, perhaps, the greatest of all that had gone before or come since—the present First Lord of the Treasury—

"I regard compulsion and penal provisions such as those of the Vaccination Acts," said the right hon. Gentleman, "with mistrust and misgiving; and were I engaged on an inquiry, I should require very clear proof of their necessity before giving them my approval."

John Bright had also declared that the law was "monstrous," and ought to be

repealed. He need not remind the House of the expressions used by Jenner himself. It might be answered with some show of plausibility that these were but the too sanguine views of an inventor—these promises which were contained in the original “Inquiry,” that—

“What renders the cow-pox so extremely singular is that the person who has been thus affected is for ever after secure from the infection of the small-pox; neither exposure to the variolous effluvia, nor the insertion of the matter into the skin, producing this distemper.” These promises were renewed five years later in *Further Observations on the Cow-pox*, in which Jenner wrote—

“The human frame, when once it has felt the influence of the genuine cow-pox in the way that has been described, is never afterwards, at any period of its existence, assailable by the small-pox.”

That was false. It was now admitted on all hands in the medical profession that that statement was false. Yet it was backed up until late times by the Local Government Board. The Vaccination Department of the Local Government Board was an expensive institution. In that Department they had a body of men who were bound over by their education, by their tendencies, by their interests, to maintain vaccination.

\*SIR B. WALTER FOSTER (Derby, Ilkeston): No, no!

\*MR. HOPWOOD said, the Department got £9,000 for this purpose, and they had no other purpose. He did not mean to say that their views were intentionally wicked, but he submitted that if men were to be engaged to investigate a matter of controversy, the tendency was to choose men who were not committed one way or the other; and he thought that if vaccination was to be enforced, the Medical Authority of the Local Government Board was not an authority that the House should be exclusively guided by. He should have taken but little note of these expressions of opinion he had quoted were it not that he found them echoed in the words of one who more than all others was instrumental in the enactment and maintenance of our present laws in this matter. He meant the words of Sir John Simon, when he said, in 1857—

“On the conclusion of this artificial disorder, neither renewed vaccination, nor inoculation with the small-pox, nor the closest contact nor cohabitation with small-pox patients, will cause him to betray any remnant of susceptibility to infection.”

*Mr. Hopwood*

That, too, had been given up. Sir John Simon was examined before a recent Commission, when he was obliged to say that a great deal of this language was rhetorical, and when he was pressed whether he still maintained his assertion, he gave it up, and every sensible man must give it up. The promise of Sir John Simon had already been anticipated in almost identical terms in the speech in which, in 1853, the Second Reading of the first compulsory Vaccination Bill was moved in that House by Lord Lyttelton, when he declared, on April 12, 1853—

“It is unnecessary for me to speak of the certainty of vaccination as a preventive of small pox, that being a point on which the whole medical profession have arrived at complete unanimity.”

Of course, he might be reminded, not without some show of justice, that these claims had now been virtually abandoned in favour of a more moderate position. That more moderate position he was prepared to consider on its merits; but he had at once two things to reply to the objection—first, that the claim could not be truly described as abandoned so long as *The Times* and *Lancet* repeatedly declared, as they declared in their leader columns, that “no one need have small-pox unless he or she pleases.” That statement was false and misleading—editors of journals, whether political or medical, ought not to propound such statements, which were indefensible. And, secondly, he should repeat with all possible emphasis that it was all very well to now withdraw the claim that vaccination gave an absolute freedom from small-pox, and say now—“It is true that primary vaccination may be of no use, but you must re-vaccinate.” There was no obligation, under the law which they were discussing, that a person should be re-vaccinated. All that they were discussing was, whether infants should continue to be destroyed by this horrible Moloch of the medical profession. He called it Moloch, because its victims could be counted by the hundreds—indeed, he was entitled to say, the thousands. This he would prove by the evidence of the Registrar General. Five hundred and odd deaths of infants from vaccination pure and simple had occurred between 1870 and 1880. What did his hon. Friend say to that?

\*SIR B. WALTER FOSTER: What are you quoting from?

\*MR. HOPWOOD: You can see for yourself, sir, if you do not know. I told you it was the Registrar General. I am ready to-morrow or next day to give you the distinct reference; but if it is not in the hands of your Department, your Department is more incompetent than it should be. But was that the whole total of those who were sacrificed by vaccination? He doubted it. He knew it was very difficult to get a man who had done a fellow-creature to death, either by accident or misadventure under his hands, to state the truth, and they had it from a prominent medical officer that he himself often put into a death certificate that which was not the true cause of death "in order to save vaccination from reproach." "Convulsions" was a convenient cause to assign in registering the deaths of infants who died from the effects of vaccination. Erysipelas was one of the most painful forms of death, and it was a most common sequel of vaccination. There was no disease which brought an anguish more acute. As a rule 14 days at least of this suffering had to be endured before death was merciful, and set the little patient free. It was terrible! It was a responsibility which the House took upon itself every year it insisted on compulsory vaccination. The whole world united in testimony in refutation of that dogma—that vaccination was a sure protection from small-pox. The deaths from small-pox in the confessedly vaccinated were counted by tens, by hundreds of thousands. *The Lancet* itself calculated, in its issue for July 15, 1871, that in England and Wales, in the course of the one epidemic then raging, more than 122,000 vaccinated persons had suffered from small-pox. In 1881 the Highgate Hospital had 96 per cent. of its patients vaccinated, and this at a time when the highest estimate of the vaccinated in London did not exceed 90 per cent. So that the proportion of vaccinated patients to total patients inside the hospital was even greater than the proportion of vaccinated population to total population outside the hospital. In an outbreak of small-pox in Sunderland, in 1884, reported in the current *Lancet* of that date, there were again 96 vaccinated out of a total of exactly 100 cases. In 1881 there was an outbreak at Brom-

ley of 43 cases, and every one of them was a vaccinated case. It was stated before the Royal Commission, on the authority of the Metropolitan Asylums Board, that 41,000 cases occurred of persons admittedly vaccinated between 1870 and 1886. This applied to London alone, and there could be found no other place, either here or abroad, in regard to which the same tale could be told. In the Highgate Hospital, in 1884, there were 474 cases; 447 were vaccinated, and of these 43 died, all vaccinated cases. To quote from the Highgate Hospital again, in 1885 there were 567 cases; of this number 532 were vaccinated, and of that number 82 died. The Metropolitan Asylums Board small-pox hospital ships had in 1890 22 cases, 21 vaccinated, 2 re-vaccinated, and 5 unvaccinated. The only two that died were the two re-vaccinated. In 1891 there were 63 cases, of whom 7 died; 53 vaccinated, of whom 2 died; 8 re-vaccinated, of whom 1 died; 10 unvaccinated, of whom 3 died, and 1 death was doubtful. In Prussia, held up in 1871 to a Committee of that House as an example of how a country ought to be vaccinated, the great epidemic of that year attacked 2,240 vaccinated children under 10 years of age, and killed 736 of them. That was a sufficient answer, surely, to those who held that complete security against small-pox could be obtained by a re-vaccination at the age of 12. Dr. Gayton, of the Homerton Small-pox Hospital, who spoke with the experience of more than 10,000 cases of small-pox before the Royal Commission, said—

"I think primary vaccination is a very fleeting protection indeed. As to the time that primary vaccination lasts I do not know, but I think it is a very short time."

In another answer he said—

"Primary vaccination would not ward off an epidemic."

And, in reply to a further question, he said—

"Post-vaccinal small-pox is of constant occurrence, and brings by far the larger proportion of inmates to the small-pox hospitals."

That was the evidence of a man who was in favour of vaccination, and who described his experience as extending over 10,000—he (Mr. Hopwood) believed it extended to as many as 13,000 cases; but, not being quite sure, he took it at 10,000. An hon. Friend reminded him

that in June, 1883, he had the honour of standing before the House upon a similar duty he was performing to-night. He stood there under the leadership of as astute a Radical—he would not dwell on the name of Radical, but would say as astute a friend to liberty as ever adorned that House—Mr. Peter Taylor. On that occasion, Dr. Playfair, now Lord Playfair, spoke. He had previously declared that in Scotland they ordered things so that vaccination had stamped out small-pox. The words were hardly out of his mouth when a terrible epidemic ran its course in Scotland, and Dundee and Glasgow answered the speech of Dr. Playfair by a painful refrain. He knew that in Scotland they ordered things very roughly; their notion of the law did not square with his; they carried out the law without much listening to those who had to submit to it. But they had not succeeded in stamping out small-pox, and he would ask the hon. Gentleman who represented Glasgow whether the authorities were not at this moment under considerable tribulation? At this moment they had vaccinated up to 95 or 96 per cent., and yet the small-pox hospitals were filled with vaccinated cases. ["No, no!"] Anyone who said "No" in face of the facts brought forward it was useless to consider, as there was no hope of converting him, because he had been brought up in the belief that if a man died from small-pox after vaccination he was wrong in so doing, and had offended against the medical body. The usual resource in the case of death from small-pox was to say the patient had not been sufficiently vaccinated. He would like the House to listen to the way in which a witty friend of his illustrated the assertion of that belief in vaccination. His favourite assertion was that his children were washed with Pears' soap. They had not had measles because they had been protected against it by Pears' soap. If they had it slightly the slightness was due to Pears' soap; if they had it badly, then it was said—"Oh, yes; but if it had not been for Pears' soap they would have died." If they died they had this reflection—that they had done their duty as parents, but had not used enough of Pears' soap. That was practically the way in which the medical profession had defended this practice of vaccination and supported the compul-

sory law. Look where they would they found maintained a tradition of ill-success which commenced with the commencement of the practice itself, an ill-success which could no longer be denied or explained away when Lord Robert Grosvenor, vaccinated in 1801 by Jenner himself, in 1811 barely escaped with his life from an attack of confluent small-pox. Jenner was put to his wits' end; when the child got through he said—"The boy would have surely died but for having been vaccinated." The boy's friends said—"But you covenanted to protect him against the infection; have you succeeded?" "No," said Dr. Jenner, "but you ought to be grateful to me, for he would have died if he had not been vaccinated." So it was by the bedside of one of the most conspicuous of Jenner's failures that there was started the now fashionable doctrine of the vaccinal mitigation of small-pox. It had been enshrined in medical books as a fact not to be disputed; but there were many medical men who did dispute it, though to do so was to doom themselves to ostracism, to blight their future fortunes, to have every road to advancement in their profession stopped against them. There were many such, and nobly and well had they spoken out on behalf of those who had been called fanatics. He did not know why he should be called a fanatic; but he knew that those who started this war against vaccination were not the wealthy, the wise, and the educated—they were the poor who suffered from the use of the vaccinator's implement a use without care, without inquiry, and recklessly practised—and who suffered, as men and women must suffer, acutely in seeing the loss of their offspring. They had talked of mitigation and protection, but was the profession agreed? He thought it would be admitted that this claim of absolute protection had never, from the beginning, been true in fact. But more than that, he submitted, never could be true in theory. The theory had been that vaccinia—cow-pox—and small-pox were really identical diseases; that to vaccinate people was really only to carry them through the small-pox in a new way; that, in the words of Mr. Simon, "the vaccinated are safe against small-pox because they, in fact, have had it." But this theory was unsound at its very foundation. The differences between the two diseases had now been so fully set forth by Dr. Creighton and Professor Crook-

shank, and so convincingly laid before the Royal Commission, that few would now care to maintain the identity of the two diseases. Dr. Creighton himself pointed out the fact that, when he gave evidence on this point, no cross-examination of him was attempted. The Commission let him alone; they knew that he knew more than they did, and therefore they did not venture to handle him. Dr. Creighton on this topic said the two were not identical; and if that were so, what was the case for enforcing vaccination? He had just a word to say about the Royal Commission. It was set up by the late Government four years ago, and it would take another year before it arrived at a conclusion. He would tell them why they should not accept with implicit submission all they said. The contrary, because there was not a single avowed anti-vaccinator put upon it, though the people whose fears were to be allayed, and whose claims were to be heard, were those who had remonstrated on the ground of their disbelief in vaccination. He knew they added Mr. Charles Bradlaugh; but he was not an anti-vaccinator, though what he might have become afterwards he did not know, as he believed that what he saw and heard had a very great effect upon him. The names of several anti-vaccinators were put before Mr. Ritchie; but, acting on the advice of his Medical Department, he declined to place any of them on the Commission. Why should that be—were they afraid of the truth? On the question of efficacy he would quote Professor Crookshank, who thus concluded his work on the *History and Pathology of Cow-pox*—

"Unfortunately, a belief in the efficacy of vaccination has been so enforced in the education of the medical practitioner that it is hardly probable that the futility of the practice will be generally acknowledged in our generation, though nothing would more redound to the credit of the profession and give evidence of the advance made in pathology and sanitary science. It is more probable that when, by means of notification and isolation, small-pox is kept under control, vaccination will disappear from practice, and will retain only an historical interest."

Could they tell him a name that stood higher than Professor Crookshank's, or ask him to assign any evidence more weighty? The practice of vaccination varied; they might vaccinate in any number of marks they pleased, from a single one advocated by Dr. Lee to the

four which were recommended by our Local Government Board. In the Estimates that were passed every year, there was a considerable sum included as premiums paid by the Local Government Board to the medical profession not for care shown in the vaccination of unhappy infants, but for the cruel scars or "stars" produced on their arms; as to the lymph, they might try humanised lymph—arm to arm vaccination it was called—and in that way it was admitted that the ghastly risk of receiving disease was incurred. For long years the medical profession had denied the possibility of disease being inoculated by vaccination. This testimonial to the benignant nature of the operation was not merely general; it condescended to particulars. They were assured that the communication of syphilis by vaccination was not merely unknown, but impossible. Who could endorse that premise now? He should like to show the House what was the attitude maintained by the Local Government Board in this matter. He held in his hand a pamphlet, entitled, *Facts for Heads of Families*, and stated on its title page to be "Revised by the Local Government Board, and issued with their sanction," and in it I read—

"The fear that a foul disease may be implanted by vaccination is an unfounded one. Such mischief could only happen through the most gross and culpable carelessness on the part of the vaccinator; and as all medical men now receive special training in vaccination, no risk of this kind need be at all apprehended. Of course, vaccination, like everything else, requires a reasonable amount of care in its performance. The alleged injury arising from vaccination is, indeed, disproved by all medical experience."

There were several gross misrepresentations in this pamphlet; they had been brought to the attention of the Local Government Board, and he should like to know why such monstrous falsehoods continued to be conveyed to the public. He invited his right hon. Friend who was at the head of the Department, and who was not accustomed to this sort of official behaviour in reference to the public, to read this publication and set the matter right. To say that "The fear that foul disease may be implanted by vaccination is an unfounded one" was a direct falsehood. It was known beyond doubt that disease had been conveyed by vaccination over and over again. Why, then, was this statement allowed to be flaunted before the people of England as





tured to submit to his judgment whether it was opportune, seeing that a Royal Commission was sitting inquiring into the whole question, that that Commission, so far at least, had not moved in what his hon. Friend would consider a wrong direction, because the Government itself had so far manifested a complete readiness to fall in with the recommendations of that Commission, and, finally, because he could quite understand the House of Commons itself would be unwilling to anticipate by a vote one way or another the ultimate decision at which that Commission was likely to arrive. For the same reason he would suggest that it would scarcely be advisable for his hon. and learned Friend to force his Motion to a Division. At the same time, he should be glad, personally, if there was any real prospect of securing an overwhelming and decisive majority in favour of the Resolution which he ventured to second. It seemed to him there was a great deal to be said for this Resolution, and there was very little to be said for the existing law. The law appeared to him to be unreasonable, unequal, cruel, and, therefore, unjust and inexpedient. It was unreasonable, because at the best it was founded on mere presumption, and on presumption the more it was examined the weaker it appeared to be. On the one hand, it must be admitted that vaccination, apart from its supposed influence on small-pox, was an evil, and a cruel evil, to a reluctant parent. It was often a very cruel and very loathsome injury to the health of a child, and against this assured evil they had only the presumption of defence against a disease which attacked only a very small portion of mankind, and which the overwhelming majority of mankind escaped. This presumption of defence against a disease was, as he had said, getting weaker and weaker the more it was examined. The claims which were put forward on behalf of vaccination in the time of Dr. Jenner were of the extremest character. It was declared that vaccination was a complete and permanent protection and preventive of small-pox. After a while that position had to be abandoned, until now they found its advocates scarcely venturing to say more than that it was a possible, a temporary, and an occasional mitigant of the evils of small-pox. In view of the fact that even among the advocates of vaccination them-

selves there was an absence of any fixed or definite view, it was an unreasonable thing to make this medical rite compulsory upon a reluctant population. Some medical men contended that the danger from vaccination was small, others that it was great. One medical authority said that vaccination once was enough; another that the operation of vaccination ought to be repeated every 10 years; another every seven years, and others stated that to be really secure one ought to get vaccinated every year. Again, one medical man was of opinion that one mark was sufficient, another required two, and others from three to six, and even 12, whilst one medical man declared that the more marks there were the better, and the more frequent vaccination took place the better. It was something like those patent pills of which the advertiser said that the more you took of them the better. With regard to the lymph itself, there were contradictions and disagreements. One medical man considered that calf lymph alone should be used, and another wanted it to be humanised. Until medical men were agreed on all these points the lay population might be excused if they revolted against the proposal as to vaccination for the future. He protested against medical men setting themselves up as exclusive judges in this matter. There was absolutely nothing in the subject which required any scientific knowledge, and medical men themselves at last were driven back into statistics, and precious statistics some of them were! If they examined the statistics which had been recently compiled, and looked upon them fairly, he ventured to put forward the opinion that they made not in favour of vaccination, but against it. He thought the House would observe that statistics on this question told against vaccination rather than in favour of it. Unless a person started on their consideration with a preconceived opinion he would be absolutely driven to that conviction. He had no hesitation in committing himself to the opinion that, in the midst of a small-pox epidemic, an unvaccinated person was at least just as safe as one who had been vaccinated. Figures compiled by a German medical man showed that, in the small-pox epidemic in Germany in 1872-3, among a large number of cases that came under the observation of himself and his staff,

a much larger number of vaccinated cases proved fatal than of unvaccinated cases. It was apparent, too, the law was unequal as well as unreasonable. It was unequal not only as between the rich and the poor, but as between different unions in the same county. And how was the law observed? In Gloucester 79 per cent. of the population were defaulters under the Vaccination Laws, in Oldham 71 per cent., in Luton 64, in Northampton 63, in Halifax 60, in Eastbourne 54, and in Banbury 46 per cent. A great deal more than half the children in these towns were not vaccinated; and, though he could not say that these towns were entirely free from small-pox, yet he could say that they were more free than any other towns of similar size in the country. What was the case with regard to London, where 90 per cent. of the population were vaccinated? In the epidemic of 1871, of the number of patients admitted to hospital, 91 per cent. were vaccinated; and in 1881 96 per cent. There had been three epidemics of small-pox during the last 30 or 40 years. In that which prevailed from 1857 to 1859 there were 14,000 deaths; in that of 1863-64-65 there were 20,000 deaths. While the population had increased 7 per cent., the deaths from small-pox had increased by 50 per cent. In the epidemic of 1870-71-72 the number of deaths, again, increased by 12 per cent. He held in his hand statistics derived from Indian and German sources which established the proposition that vaccination afforded no real protection against small-pox. He merely rose to second the Motion and not to detain the House, but he could not help drawing attention to these important facts. The Reports to which he referred proved conclusively that there was no protection. He asked the Government to bear in mind the Report, for instance, of Dr. Keller—a Report which contained very interesting figures. The law as it stood upon this subject was founded upon a mere presumption. The fact that so many persons were vaccinated was a proof of the weakness of human nature and the proneness of people to follow their leaders rather than an indication of a real belief in the efficacy of vaccination. But, even if they took the opposite view, and said the community had a right to protect itself, he had to say that there was no justification for forcing vaccina-

tion on those who did not believe in its efficacy and who resented its being practised upon them. He was perfectly well aware that numbers who were opposed to vaccination obeyed the law by having their children vaccinated. That, however, was a poor argument. He believed that before many years they would see that vaccination was not adequate to cope with the evil of small-pox, and he thought they would look back with amazement at the time when this system was resorted to by a people like theirs. He had pleasure in seconding the Motion of his hon. and learned Friend.

#### Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the Law compelling vaccination of infants and young persons is unjustifiable, and ought to be repealed,"—(*Mr. Hopwood*),—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

\*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir B. WALTER FOSTER, Derby, Ilkeston): From 35 years' experience as a practising physician, I have long been aware that the most difficult person to convince is the amateur doctor, and I am afraid the observation applies to other professions. I am sorry that the hon. and learned Gentleman who introduced the Motion has imputed interested motives in this matter to Government officials and to the medical profession. It must be manifest that the medical profession has much more to gain by epidemics of small-pox than by the small fees from vaccination, and the Medical Officers of the Local Government Board could certainly earn more in practice than they received for their official work. I must warn the House against accepting some of the statistics brought forward by the Seconder of the Motion. The figures of one authority (Dr. Keller) were thoroughly exposed in 1887 by Herr Korosi, who found that Dr. Keller had falsified the Returns in favour of the anti-vaccination side. Figures were discovered to have been altered, such as 68 to 38; and a Medical Committee,

which also investigated the figures of Dr. Keller for the International Medical Congress held at Washington in 1887, arrived at the conclusion that they had been "falsified in such a manner as to raise the mortality from small-pox amongst the vaccinated, while that of the unvaccinated was lessened."

\*MR. HOPWOOD wished to know whether the hon. Gentleman was aware that Korosi had himself been shown up?

MR. A. O'CONNOR said, he was not aware of any alleged exposure of Dr. Keller.

\*SIR W. FOSTER : I fear that when doctors disagree charges are sometimes hurled back from one to another. I regard the Motion as inopportune, inconvenient, and injudicious. The late Government appointed a Royal Commission, on which they placed the ablest men they could obtain, to investigate this question. That Commission has displayed, during the four years it has been sitting, the greatest patience. It has devoted two years to hearing the anti-vaccination side, and has now approached within measurable distance of the time when it may report. At such a time a Resolution which directly attacks one of the main References of the Commission is inopportune, as it is evidently premature to express an opinion before there is an opportunity of considering the Evidence and the Report of the Commissioners. It is inconvenient, because many Members are pledged to await the Report of the Royal Commission. It is also injudicious, because whatever the hon. and learned Gentleman gets from the Resolution will do him very little good in the face of the Report of the Commission. He has entered on an unprofitable task, and it is injudicious on his part to challenge the vote of the House at the present time. Another point is that the Government are acting in perfect good faith in the matter, for they recognise and promise to act on the Report of the Commission as regards repeated penalties. Well, Sir, I think my hon. Friend will be better advised if he waits for the final Report of the Royal Commission. I do not myself believe in unwise compulsion. There is no heresy so foolish that it cannot be made important by persecution. In the present case a few martyrs to repeated penalties are sufficient to keep going the agitation against vaccination.

I do not accept the hon. Member's conclusions in reference to the usefulness of this particular remedy. I regard it as useful in the prevention of disease, and I am bound on three or four grounds to defend the action of the Department I represent in reference to it. In the first place, I defend vaccination because I believe it is a great means of saving life. I would ask the attention of the House to a few figures in connection with this contention. We have means of obtaining a fair and approximate knowledge of the ravages of small-pox before vaccination was invented and practised. It is calculated that before the use of vaccine small-pox killed in London about 3,000 per 1,000,000 of living people. [*Cries of "Oh!"*] That is the estimate of statisticians who have no interest to serve by misrepresentation, and it is similar to estimates made in foreign countries.

MR. PICTON (Leicester) : Will the hon. Gentleman tell us on what he bases these figures?

\*SIR W. FOSTER : They are based on the estimated population of London and on the bills of mortality. The hon. Gentleman can, of course, say this is only an estimate; but I will give other figures which cannot be questioned in the same manner. Well, 3,000 per 1,000,000 was the estimated death-rate from small-pox in London before the use of vaccination, and the rate had fallen between 1872 and 1890 to 178 per 1,000,000. That is an enormous decrease. In England generally, putting the estimate much lower than many statisticians put it, it is calculated that the deaths from small-pox were 2,000 per 1,000,000 before the days of vaccination, whilst between 1872 to 1890 they had fallen to 90 per 1,000,000. These comparisons are open to the objection that the death-rate before 1838, when the registration of deaths was taken up, may be wrong. I will, therefore, go to a country where there has been registration of deaths both before and after vaccination came into use—namely, Sweden. If Englishmen are liable to small-pox, Swedes may be supposed to be not less liable. Registration has been in force in Sweden since 1774. In the pre-vaccination days the Swedish death-rate from small-pox was 2,008 per 1,000,000 of living persons, whilst, since vaccination, the average during the last 70 years has been 173 per 1,000,000. In Copenhagen, where

they have known the number of the population and the deaths from small-pox since 1750, the death-rate from small-pox was 3,567 per 1,000,000 before vaccination was used, whilst during the last 73 years it has been, on the average, 130 per 1,000,000. You may read these figures in another fashion. In London 1 person dies now for every 17 who died before the use of vaccination; in England 1 dies for every 22 who died formerly, in Sweden 1 for every 12, and in Copenhagen 1 for every 27. The figures I have, also refer to epidemics of small-pox at different periods. Epidemics have been defined by a very high medical authority as a condition of things in which 10 per cent. of all the deaths are due to a particular disease. Taking that as the definition, during 48 years of the 17th century there were 10 such epidemics; in the 18th century there were 32 such epidemics, whilst in the 19th century there has not been one. I think that is a complete answer to the allegations respecting the epidemic diffusion of small-pox in the present day. The decline in the death-rate has had a curious relation to the progress of vaccination. The more completely vaccination has been enforced, the greater has been the decline in the death-rate. According to the Registrar General's Returns during the years 1847-53, when vaccination was merely permissive, the total number of deaths in England from small-pox was 305 per 1,000,000 of living persons. During the next series of years, from 1854 to 1871, when vaccination was compulsory but not enforced by penalties, the death-rate fell to 223 per 1,000,000. Between 1871 and 1891, when the compulsory system was enforced by penalties, the death-rate fell to 89 per 1,000,000. Thus, as I have said, there is a progressive decline of small-pox as vaccination is more and more enforced. That decline has occurred in spite of conditions which are above all likely to make a disease like small-pox more and more fatal. Small-pox most probably spreads through the atmosphere, and is certainly communicated by persons being brought into close proximity with those who suffer from it. We have gathered together in this city at the present time such a mass of people as the world has never seen gathered together in a single spot before, and the communication that takes place between them is vastly greater

the case in olden times. Therefore, if the same condition of things existed, we might expect an infinitely greater mortality from small-pox now than we had in pre-vaccination years. It may be said that sanitation has improved, and I admit that it has; but I say that sanitation has had nothing whatever, or comparatively little, to do with the matter. [*Cries of "Oh!"*] If hon. Gentlemen will be patient I will give them figures which, I think, will show that such is the case. Before, however, I pass away from the present point, I want to point out that the mortality has decreased amongst certain portions of the population more than amongst others. The Motion deals specially with infants and young persons. Amongst infants under five years old the decline is no less than 89 per cent., whilst amongst children between the ages of five and 10 it is no less than 72 per cent. The decrease of deaths, therefore, is greatest amongst those who have been most recently vaccinated, although, before the days of vaccination, according to calculations based on nearly 250,000 cases, 90 per cent. of the total number of deaths from small-pox were those of children under five years of age. There is another point I must deal with. In very recent times we have had an experience of a serious epidemic of small-pox in the town of Sheffield. I admit that that was a great epidemic in a vaccinated population. A great many figures have been brought out this evening showing the number of people who were vaccinated and yet suffered from small-pox. But, of course, if you have 95 or 98 per cent. of your people vaccinated, and there is an epidemic, the larger number of those who take the disease must be vaccinated persons. Well, I find that in Sheffield, if the vaccinated children under ten had died at the same rate as the unvaccinated, judging by the behaviour of unvaccinated under 10, there would have been, instead of nine deaths of vaccinated children, no fewer than 4,400 such deaths. In other words, the unvaccinated children under 10 in Sheffield had a death-rate 480 times greater than the vaccinated children.

\*MR. H. P. WOOD: Will the hon. Gentleman ask him whether the gentleman whom he gets these figures from are the Commissionaires in his calculation?

Sir W. Foster

Had he not taken the Vaccination Census nearly a year afterwards, and after a considerable amount of vaccination had taken place?

COLONEL HOWARD VINCENT (Sheffield, Central): Before the hon. Gentleman answers, may I ask him whether it is not a fact that no re-vaccinated person in Sheffield died during the epidemic?

\*SIR W. FOSTER: I am not quite sure about the point put to me by the hon. Member for Sheffield, and I hope my hon. Friend (Mr. Hopwood) will excuse me if I do not answer his question, as I do not recollect whether any such admission was made. I have every confidence, however, that the gentleman referred to took every care in the preparation of his statistics. I know the statement is not absolutely true in the form in which my hon. Friend puts it.

\*MR. HOPWOOD: I assure you it is.

\*SIR W. FOSTER: It may be partly true. However, if my hon. Friend objects to these figures, there are others which are sufficiently conclusive. We may put Sheffield aside for a moment, and take England and Wales during the years between 1872 and 1891. If we examine the figures respecting the vaccinated and the unvaccinated while compulsory vaccination was in force, and compare them during a period when permissive vaccination was in force, we find that there has been an enormous saving of life. If between 1872 and 1891 people of all ages had died of small-pox at the same rate as they died of that disease between 1847 and 1853 (when there was no compulsory vaccination) there would have occurred annually 7,940 deaths from small-pox instead of 2,316. In other words, over 5,600 lives have been saved, on the average, every year. If between 1872 and 1891 children under five years of age had died of small-pox at the same rate as they died of the disease in 1847-53, when there was no compulsory vaccination, there would have occurred annually 5,400 small-pox deaths amongst these children, instead of 591. Thus every year the enormous number of over 4,800 young lives have been saved from this disease. I do not want to dwell longer than I can help on this particular portion of the case. I think the figures I have given show that there is a considerable saving of life by vaccination in

connection with small-pox. Next, I say that small-pox is lessened in severity by the use of vaccination. Small-pox occurs in different forms. I will not use the scientific terms, but will simply speak of mild and severe attacks. In the Sheffield epidemic of 1887-8 I find that 17·2 per cent. of the cases were severe amongst the vaccinated persons, whilst amongst the unvaccinated persons the percentage of severe cases was 81: the chances of a bad attack amongst the unvaccinated as compared with the vaccinated being nearly 5 to 1. Amongst children under 10 years of age the percentage of severe cases was 9 in the vaccinated and 78 in the unvaccinated, the chances of a bad attack being thus 8 to 1 amongst the unvaccinated as compared with the vaccinated. In Leicester, which is a town in which the anti-vaccination movement flourishes, they recently had 146 cases of small-pox, and I congratulate Leicester on having escaped so lightly and on the rigour with which the authorities carried out their isolation hospital system. I have always watched their method with the greatest interest, because I should be glad of having two methods instead of one of stamping out small-pox. Eighty-nine adults were attacked, 82 of whom were vaccinated. Of the 82 cases, only 6, or 7 per cent. of the whole, were severe. Seven unvaccinated adults were attacked, and all the cases, or 100 per cent., were severe. Of the children attacked, 50 were unvaccinated, as against 7 who were vaccinated; 44, or 88 per cent., of the unvaccinated had severe attacks, while all the 7 vaccinated children had mild attacks, 5 of the cases being absolutely abortive, the patients only having a few pocks. A similar state of things is witnessed at the present time in Manchester. There have been over 500 cases altogether; 21 per cent. of those who are vaccinated have been severely attacked, and 68 per cent. of the unvaccinated; while 5½ per cent. of the vaccinated, and 19 per cent. of the unvaccinated, have died. There is another interesting way of showing the influence of vaccination in lessening the severity of attacks. Some years ago an inquiry was made respecting children in Board and other schools in London, and over 53,000 children were examined. The examination was made with the view of finding out how many of them were

pitted with small-pox, pitting indicating a comparatively severe attack. It was found that 360 per 1,000 of the children who were unvaccinated were pitted; that seven per 1,000 of those with defective marks, showing bad vaccination, were pitted, and that two per 1,000 of those with good marks were pitted. These are very remarkable figures as showing how the fair skins and faces of these little ones are saved from disfigurement and mutilation by this beneficent method of treatment. I now pass to the question of the use of vaccination in protecting people from attacks of small-pox. The protective qualities of vaccination are, I think, undoubted. We do not for a moment deny that small-pox will attack a vaccinated person, or that a single vaccination is not protective during the whole of a life. I find that the percentage of children under five years of age who die from small-pox now, as compared with the times when vaccination was not enforced, has declined 89 per cent., whilst in the case of children under 10 years of age it has declined 72 per cent. I think these figures show that, at all events, the protection extends over 10 years. A special investigation was made at Sheffield on this point. A certain number of houses were taken in which small-pox occurred among some of the inhabitants, and it was found that between 18,000 and 19,000 persons lived in such houses. Of these persons 18,020 were vaccinated, and 736 unvaccinated. They were all living under the same sanitary conditions. Of the 18,020 vaccinated persons, 4,151, or 23 per cent., caught the disease, whilst of the 736 unvaccinated persons, 502, or 75 per cent., caught it. Thus the unvaccinated were attacked more than three times as frequently as the vaccinated. Taking the whole of Sheffield, which has 98 per cent. of its population vaccinated, I find that  $1\frac{1}{2}$  per cent. of the vaccinated of all ages, and 9·7 per cent. of the unvaccinated, were attacked by the disease. There was a six-fold immunity from attack on the part of the vaccinated of all ages, and a 20-fold immunity amongst children under 10. I do not think you can have figures that are more conclusive.

MR. PICTON: They are disputed.

\*SIR W. FOSTER: Well, a very good test on this point is afforded by the case of those who spend more or less of their

time in small-pox hospitals—I mean the nurses and attendants. The figures I can give with regard to them are exceedingly interesting, and I do not think hon. Members will be inclined to dispute them as they dispute the last I have given. I find that of 734 nurses and attendants at the Metropolitan Asylums Board Hospitals, 79 had had small-pox. Of the remaining 655, 645 had been re-vaccinated, and of these not one contracted small-pox, whilst every one of the remaining 10 have been attacked by it. The 10 performed the same duties and were under exactly the same sanitary conditions as the 645. I think these figures are conclusive as regards the preventive properties of vaccination, and also as regards the sanitation argument. There are more striking figures still. At Newcastle-upon-Tyne 14 nurses were in attendance on cases of typhus fever; nine were attacked with typhus and two died. Sanitation did not seem to help them much. The nurses attending the small-pox hospital were all re-vaccinated, except one, who had recently had small-pox. Not one of them contracted small-pox, but one did contract typhus. Thus in two hospitals with two sets of nurses under the same sanitary conditions, the one set suffered badly from typhus, while the other escaped small-pox by aid of vaccination. At Leicester, at the present time, the same kind of thing is going on; 22 of the attendants were either re-vaccinated or protected by having had small-pox, and not one of them has been attacked; six refused to be re-vaccinated, and of these four have been attacked and one has died. I think, therefore, the figures show very closely and conclusively that vaccination, at all events, has a protective power. I could give other figures that are almost equally conclusive. In the case of a small-pox ship, where possibly contact is even closer than in a London hospital, 90 nurses and attendants were employed, and they all escaped except one housemaid, who had refused to be re-vaccinated. The Epidemiological Society have reported that, out of 1,500 hospital nurses and attendants, 43 caught small-pox, and not one of them had been re-vaccinated. There are other indications of the protective power of vaccination. Taking some figures given by Dr. Gayton, we find that the protection afforded varies with the effectiveness of the vaccination.

*Sir W. Foster*

Amongst children under five there were no deaths in cases where the vaccination marks were good, whilst the death per 100 were 56·5 where the children were not vaccinated. Amongst children of between five and 10 the deaths were 0·9 per 100 attacks where the marks were good, and 35 per 100 where there were no marks; whilst amongst children of between 10 and 15 the deaths were 1·1 per 100 where the marks were good, and 23 per 100 where there were no marks. I agree with every word my hon. Friend has said about the horror of the communication of foul diseases through vaccination. If that argument were to any extent based upon truth, I admit that it would be terrible and conclusive. If the communication of disease is at all common, a case is at once made out, not only for inquiry, but for an alteration of the law. My hon. Friend said a certain number of cases of that kind occurred. The figures on the point are more or less interesting and meet the apprehensions he has expressed. The disease that is specially dreaded as a consequence of vaccination is syphilis. What are the facts? I find that in Scotland, where children are not vaccinated till they are six months old, 65 per cent. of the deaths from syphilis take place before the age of vaccination, and in the second half of the first year of life they fall to 11·6, less than one-fifth of the pre-vaccination half year. In England, where children are vaccinated at the age of three months and upwards the same figures hold good. In both cases some 65 per cent. of the deaths occur before the age of vaccination. The increase shown in recent years in the prevalence of infantile syphilis is a matter, we think, of improved diagnosis. At Leicester infantile vaccination has been for a long time in abeyance; and if syphilis and vaccination were at all associated, we should expect to find in that town a lower syphilitic death-rate among children than in other towns; but, as a matter of fact, we find that in England and Wales generally the syphilitic death-rate has gone up in the last 20 years in England and Wales some 25 per cent., but has gone up still more in Leicester.

MR. PICTON: Is that on a comparison with the town population or with the whole population of the country?

SIR W. FOSTER: It is on a comparison with the population of the

whole of England and Wales—not with the urban population. Mr. Hutchinson's experience in that respect is entirely confirmatory of that of the Local Government Board, and it remains true to this day that, although 750,000 children are annually vaccinated, no case of unquestionable communication of the disease has come under the observation of the Board. Another disease which is said to be communicated by vaccination is erysipelas. What do we find in reference to that disease? Why, that in the last eight years the infantile mortality from erysipelas of infants has gone down by 17 per cent.; but in Leicester, where there is no infantile vaccination, the disease has increased in infants 41 per cent. It is calculated, as regards deaths, that only 1 death from primary vaccination occurred in 14,159 operations. What is the alternative? If compulsory vaccination is done away with, 4 out of 5 children under 5 years of age in houses invaded by small-pox—according to the Sheffield statistics—will catch small-pox, and 2 out of the 5 of them will die. On account of a dread of the communication of disease, a dread which may be lessened by the introduction of improved methods, we ought not, in my opinion, to relax our faith in the use of this great preventive of small-pox. With reference to the interference with the liberty of the subject, I do not think it necessary to say much; but this I will say, that I believe that in the complexity of our social conditions we are bound to do more and more in that direction, when it is for the good of others. The only justification for interfering with the liberty of the subject is when it is for the good of others. Thus we vaccinate children to protect the population amongst whom we live. Personal experience is another test, and from my own personal experience of three severe epidemics of small-pox I can assure the House that it is the greatest possible relief, when in charge of a small-pox hospital, to see the vaccination marks well-defined. We know then that there is a hope of saving the life of the patient. Dr. Russell, of Glasgow, has written words corroborating this. Finally, let me say that the care of the public health is the highest duty of the State, and with the advance of civilisation and the increased complexity of our social con-



ditions, the care of health is less and less within the control of the individual, and he must rely more and more upon State guidance and State aid. Holding these views, we must try to exercise them for the greatest good of the greatest number. To accede to the Motion would be hurtful to the public health, retrograde in policy, and injurious by multiplying enormously the baleful and fatal influences of a disease which is at once loathsome, disfiguring, and destructive.

\*Mr. HUDSON (Herts, Hitchin) said, he was in Canada in 1885, in the October and November of that year, when a very severe small-pox epidemic occurred, and where no fewer than 2,800 died from the disease. The death rate amongst the English part of the population amounted to only 13 per cent., and after the French took to being vaccinated the number of deaths among them greatly diminished. Had either the Mover or Secunder of the Resolution they were debating been in Montreal at that time, he believed that in the first week they would have rushed to a medical man to be re-vaccinated. In many cases a great deal of harm had been done with human lymph, and he thought the Government ought to adopt the American plan of keeping a farm, where medical men could always rely on obtaining fresh lymph from the cows. There was in *The Times* of that day a letter from the highest authority in England, the Royal College of Surgeons, in which they advocated the great benefits derived from vaccination. He was connected with the management of two hospitals, and he had often asked the staffs of those hospitals their opinion on the subject, and they always maintained that vaccination was of the greatest possible use. Statistics had been laid before them as to the number of vaccinated persons who had been attacked by small-pox, but his reply was that no one suggested that the effects of one vaccination lasted a lifetime. In his opinion, vaccination ought to take place every seven years. He should vote against the Motion.

Dr. CLARK (Caithness) said, that while listening to his hon. Friend the Secretary to the Local Government Board, he came to the conclusion that nothing was more misleading than statistics. He ventured to suggest that the figures quoted on each side were equally

unreliable. It was often impossible to tell whether or not a man or a child had been vaccinated, yet every doubtful case was returned as unvaccinated. He should vote for the Motion, because he thought it was just as reasonable for the State to compel the baptism of a child as to compel its vaccination. He was prepared to say from experience that vaccination did modify small-pox; but if they wanted to be logical, at all events they should compel vaccination every seven years. Towards the end of the '60's Professor Cowan was examiner to a large Insurance Company, and one man who wanted to insure for £2,000 was told that he must be re-vaccinated. He submitted to the process, and eight months afterwards died from small-pox. In Leicester, as the law was not enforced, the town was badly vaccinated, yet there had been no small-pox epidemic there; although Sheffield was one of the best vaccinated towns, the people had almost been decimated by the disease. Let them draw their own conclusions from that. He could only say he believed that when the Report of the Royal Commission was issued the Motion of his hon. Friend would receive much more support.

Mr. Hopwood rose in his place, and claimed to move, "That the Question be now put;" but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

Dr. FARQUHARSON (Aberdeenshire, W.) said, he should very much prefer re-vaccination. As a medical man he had given considerable attention to the question, and he was perfectly satisfied with the speech of the Secretary to the Local Government Board, who had put the case with clearness, fairness, and unanswerable truth.

Question put.

The House divided:—Ayes 136; Noes 70.—(Division List, No. 82.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, withdrawn.

Supply — Committee upon Monday next.

House adjourned at a quarter after Twelve o'clock till Monday next.

## HOUSE OF LORDS,

*Monday, 15th May 1893.*

The Lord St. Levan—took the Oath.

## TRIMLESTOWN PEERAGE (CLAIM TO VOTE FOR REPRESENTATIVE PEERS FOR IRELAND).

Committee for Privileges met: Counsel heard to open the case on behalf of the Claimant; leave given to the Claimant to refer to the printed case lodged on behalf of his brother Christopher Patrick Mary Barnewall (since deceased), late of Trimlestown, in the County of Meath, and of Turvey in the County of Dublin, Esquire, claiming a right to vote as Baron Trimlestown at the elections of Representative Peers for Ireland, and leave also given to the Claimant to refer to and use the evidence adduced in support of the said claim of his late brother; witnesses examined; Counsel for the Claimant heard to sum up; the Attorney General for Ireland heard on behalf of the Crown; Claim considered, and the Committee resolved that the Petitioner Charles Aloysius Barnewall had made out his claim as Baron Trimlestown to vote at the elections of Representative Peers for Ireland; and report thereof to be made to the House.

Ordered, That the Claimant do pay all the expenses attending the taking and printing the evidence, and also the cost of the examination of the evidence by an examiner appointed by the Crown Agent.

## NEW PEER.

John Mulholland, of Ballywalter Park in the county of Down, Esquire, having been created Baron Dunleath of Ballywalter in the county of Down—Was (in the usual manner) introduced.

## INDIAN AND COLONIAL VOLUNTEER DECORATIONS.

THE EARL OF ONSLOW asked the noble Lord the Under Secretary of State for War whether it was true that the Government of the Dominion of Canada had been notified that Volunteer officers

would be granted decorations for 20 years' meritorious service; and, if so, whether it was the intention of Her Majesty's Government to advise the extension of the decorations to Volunteer officers in India and the Colonies?

THE UNDER SECRETARY OF STATE FOR WAR (Lord SANDHURST) said, as to the first part of the question, it was not correct that a communication relating to the decorations for meritorious service given to Volunteer officers in this country had been sent to the Dominion Government of Canada. With regard to the second part of the question, the announcement would be interesting to their Lordships that proposals had been made for extending the decorations now worn by Volunteer officers in the United Kingdom to Volunteer officers in India and the Colonies. Those recommendations had been graciously approved by Her Majesty. Communications to that effect would without delay be forwarded to the several Colonial Governments, and the result would be that Indian and Colonial Volunteer officers would be placed on the same terms as Home Volunteer officers.

## INDIAN HOME CHARGES.

## MOTION FOR AN ADDRESS.

THE EARL OF NORTHBROOK called attention to the home charges of the Government of India in relation to the condition of the finances of India; and moved for copy of a letter from the Secretary of State to the Governor General of India in Council (Financial), No. 152, of 18th August, 1892. He said that, since the recent discussion of the matter in their Lordships' House, the Budget Estimate had been received from India for this year. He had then used the word "alarming" in reference to the condition of the Indian finances; but he was now of opinion that it was not so alarming as the rumours in the Press had led him to suppose. For many years the Indian Government had borne out of Revenue charges what other Governments would have provided for by means of borrowing, such as those for special defence works, for which in England money had been borrowed, but which in India had been charged to current expenses. Generally speaking, he thought

that with economy, and unless a further serious fall took place in the gold value of silver, there was no reason to suppose that the Indian finances would not recover their equilibrium. As the Indian Finance Minister had recently said, the financial position of India rested upon Military Expenditure, and the condition of the exchanges in reference to the Military Expenditure in India. He was glad to observe that the Under Secretary for India in the other House, in answer to questions, had on several occasions admitted the importance of economy in the Military Expenditure. The matter of the exchanges was still before a Committee, of which the Lord Chancellor was Chairman; and, therefore, he would not go into it further than to say that all who knew anything of India must feel the great hardship which the fall in the gold value of silver imposed upon those serving in India upon salaries; and that hardship might become a matter of serious prejudice to the Public Service. He hoped some means would be found to remedy that great hardship without imposing fresh taxation upon the people of India, which would, in present circumstances, be exceedingly difficult. The part of Indian finance he desired to call attention to mainly was the Military Expenditure at home charged to India. These home charges were not referred to the Lord Chancellor's Committee. He would not go into the smaller parts of the home charges upon the Indian Revenues, such as the salary of the Secretary of State for India, or the charges for the Consular Establishments in Persia and China, which was a subject of constant protest, but would confine himself to the Military Expenditure. The management of the debt, he believed, had been put upon a satisfactory footing, and no objection could be taken to the figures respecting the debt which formed a large part of the Financial Statement. The home military charges amounted to £4,000,000 at the present time, including stores; and the whole of this £4,000,000, found by the taxpayers of India, was spent in this country, so that India did not derive any incidental advantage from the expenditure. A very careful indentation of stores ought to take place in India, and advantage might result from such an inquiry. He would ask whether it had not been proposed over and over

again that the War Office charges, including stores, paid by India should be referred to arbitration; and whether, while the Secretary for War was willing, the Treasury declined to accede to the suggestion? The items that were under the control of the War Office amounted to about £1,000,000; rather more than three-fourths of this was for effective charges; and a little over £300,000 was for non-effective charges. The effective charges included the cost of recruiting and training in England—the cost of the soldier before he embarked for service in India. Every farthing of the charges after he embarked for India until he re-embarked for England was paid by the Indian Government. The non-effective charges included the pensions and other allowances paid to officers and men who had served in India and were charged by the War Office upon the Indian Revenues. He had these military charges before him when he was in India, and on his return he was asked by the Treasury to serve on the Committee which had cognisance of the effective charges for British troops in India; he had served on that Committee, with some intervals, for 14 years—in fact, until last year; and, therefore, he had had the question before him for the last 20 years. Under the *régime* of the East India Company, the whole effective charge was paid by the Company, bills being sent in for the actual charges of the men sent out to India. In respect of non-effective charges nothing was paid at all. There were then about 20,000 Regular Forces serving in India, and no payment was made at all by India on account of non-effective charges until 1822. Then there was a bargain made between the Imperial Government and the East India Company, under which the latter agreed to pay £60,000 per annum for all non-effective charges in India then and in future. Some *quid pro quo* apparently was given; but the English Government thought the East India Company had behaved very handsomely in the matter. That arrangement lasted until the direct government of India was assumed by the Crown, when the whole of the English Forces in India became the Forces of the Crown; and that, of course, necessarily obliged a reconsideration of the arrangement in respect of these payments. What he had to represent to their Lordships

was that since that time the charges gradually and greatly increased, and the increase had gone on notwithstanding the repeated remonstrances of successive Governments of India and successive Secretaries of State for India in Council; but up to the present time no equitable arrangement had been made in respect of those charges. He had no intention whatever to impute to the officers of Her Majesty's Treasury or others concerned, or even successive Cabinets here, any desire whatever to do injustice to India. He was satisfied, also, the Houses of Parliament were anxious only to do what was just and right as between England and India. He attributed the inequitable result, first, to the great complexity of the subject; and, secondly, to the great pressure of business of different kinds which had weighed upon the successive Governments of this country. Parliament had last year passed an Act by which the functions of the Legislative Council in India had been extended. The Budget must now be discussed there year by year. Questions had been already asked; and it was not to be expected that this subject, which had been so long before the public in India, and which was fully dealt with in Papers laid before Parliament and available to anybody, would not be discussed freely and fully in the Indian Legislative Council. To resume a short history of the question. In 1861 these charges were met by an arrangement under which £10 per effective man in India was paid to meet the whole effective charge of the Indian Army, and £3 10s. per man to meet the whole non-effective charge, the latter charge, it was distinctly understood, being only for one year. That was done under the Act 24 & 25 Vict. c. 89. When that arrangement was made, his late friend and old master, Sir Charles Wood, afterwards Lord Halifax, than whom no man was more thoroughly conversant with Indian finance, laid it down that that temporary arrangement was not to be regarded as an admission that India could justly be called upon to pay charges which ought really to be borne by the Imperial Exchequer; and so early as 1861 a protest was put forward against the arrangement on behalf of the Secretary of State in Council. The effect of that change was to raise the

annual non-effective charge from £60,000 to £225,000 per annum; but no complaint could be made on that score, for it must be remembered that a large number of English troops were required there in consequence of the abolition of the old Indian Army. That arrangement ceased in 1870, when a most complicated and extraordinary plan was imposed upon India, under which, year by year, the actual pensions India was supposed to be called upon to pay in consequence of the abolition of purchase in the British Army were capitalised, and the capital value, year by year, was charged upon India by the British Exchequer. This arrangement lasted for 14 years, until 1884, and the effect had been an enormous increase in the charges on the Revenue of India, an increase which was not less than £4,000,000 in those years for pensions, and so on. The present Secretary of State for India at that time made a representation to the Treasury on the subject, pointing out that charges arising from measures adopted for purposes unconnected with India, such as the abolition of the purchase system, and the consequent grant of pensions to officers, ought not to be levied upon India. It was urged that it was exceedingly unjust that the Indian Revenue should be called upon to bear any charge in order to get rid of that peculiarly English abuse, and the granting of pensions to officers on compulsory retirement on attaining certain ages, and so on. A Return upon that subject was laid before Parliament in 1884. He could not, throughout all the Papers laid before Parliament, find any answer to the argument so put forward on behalf of India. The arrangement for capitalisation of the purchase pensions ceased in 1884, and he had no materials in his possession as to what had taken place since that time. With regard to effective charges, after the arrangement as to a payment of £10 per effective man in India came to an end in 1869, a system was adopted by which bills for what was considered the actual charges were presented by the War Office and paid by the India Office. Year after year this was done, and year after year the India Office had protested against the details of these charges. They paid certain sums to account, while protesting against the

whole thing. Matters, however, went on from bad to worse, and in 1874 a Committee of the House of Commons was appointed at the instance of Mr. Fawcett, who took great interest in Indian finances, to consider 'the whole subject. The Committee came to the conclusion that charges were imposed upon India which ought to be borne by England, and in their Report strongly insisted on the great importance of strict fairness in all financial arrangements between India and this country; and they stated that they had received the impression that charges had, in some instances, been imposed upon India which ought to be borne by England, and they agreed in the opinion emphatically expressed by the Marquess of Salisbury that—

"The most effectual way of securing financial justice to India was for the House of Commons to be constantly watchful on her behalf."

The noble Marquess opposite (the Marquess of Salisbury) was not altogether incapable of the use of sarcasm, and he might not on that occasion have intended to express his real expectation that the House of Commons was at all likely to be very watchful on behalf of the Indian taxpayer and Indian finances; but if he really entertained that expectation it certainly had been entirely deceived, because from that time to this there had been no enthusiasm shown by the House of Commons in that direction for the relief of the Indian taxpayer. No notice whatever of the representations of the Committee was taken by the Government of the day, although it was admitted by the highest Military Authorities that India was charged too much. His Government in India did all they could to put this matter on a proper footing, and they wrote home pointing out that the highest authorities had frequently admitted that India had been called upon to pay an unnecessarily high rate in connection with the home charges. The Duke of Argyll was then Secretary of State, than whom no one was keener to get justice for India; but it was certain that nothing came of those representations, and no consideration was given to India in respect of those charges for which it was admitted too much had been taken in the past. After the House of Commons Committee of 1874, a small Committee was appointed in the next

year with a distinguished Member of Parliament, Mr. Bouverie, as Chairman, and they made some recommendations as to the cost of the troops; but they ignored and put aside altogether the great questions raised between the two Governments, on the ground that it did not fall within their province to examine or decide upon them. They said that these were questions for the Cabinet to determine. When the Report of that Committee was sent to the Indian Government they sent back a despatch in which it was conclusively shown that, according to the recommendations of the Committee, India would have to pay, not only the whole cost of raising and maintaining the men required for Indian purposes, but a certain part of the cost of raising and training men in the Reserve as well. No notice was taken of the criticisms upon the Report by the Government of India. Year after year the same thing went on, the charges were sent by the War Office to the India Office; and at last the Financial Committee of the House of Commons, finding that there was no probability of settling the matter, and all the arrears which were accumulating, made a strong protest, the affair was brought before the Cabinet, and the upshot of the whole matter was that a settlement was made to the end of the year 1879. About that time Colonel Stanley (the present Lord Derby) was Financial Secretary to the Treasury, and he admitted that India had been charged more in former times than she ought to have been charged; but it was suggested that a Commission should be appointed to settle a fixed rate of contribution in the future. A Commission was sitting more or less continuously from 1879 to last year; and, as Chairman of that Commission, he wished to take this opportunity of expressing his obligations to its members, especially to Sir Thomas Seccombe and Mr. Knox. For years they could get no accounts, and when at last those for 1885-6 and 1887 were obtained it was found that they could not arrive at a Capitation Rate unless they could get the opinion of the Indian Government upon the matter, as they were most concerned and knew most about it. And that was also the opinion of Viscount Cross. When Viscount Cross was Secretary of State for India he requested the opinion of the

Government of India with respect to the charges, because it was obvious that without receiving the views of the Government of India with regard to the claims of the War Office the Commission would not be able to deal satisfactorily with the question. They could only go into calculations. But he was happy to say that simply upon the arithmetical calculations they came to the conclusion that a very large reduction should be made in the charges. The answer of the Indian Government to the request of the noble Viscount only arrived in 1890, and the noble Viscount sent it to the Treasury with the request that it should be laid before the Commission. At the expiration of a year he received a letter from the Treasury addressed to him officially as Chairman of the Commission enclosing the Despatch of the Government of India—a long and able document—with the request that he would lay it before the Commission. That request was accompanied by a letter from the Secretary to the Treasury, in which the Treasury expressed its concurrence in the objections raised by the War Office ; and in these circumstances he, as Chairman of the Commission, felt that he could do nothing less than respectfully decline to lay documents before the Commission upon two of which the Commission were told their opinion would not be taken. So that he must inform their Lordships the result was that after 14 years' work the main contention of the Government of India would not even be considered. It was put altogether on one side, and was utterly and entirely ignored. All the difficulties remained now just as they existed 20 years ago, and he would ask the Secretary for India to explain what his views at present were on the subject. The Government of India contended that when the Indian Army was used for Imperial purposes, that fact should be considered by the Home Government when they came to fix the new rate of payment for the effective charges in India ; and they also urged that consideration should be given to India for the inequitable way she had been treated in the past. It was said that England and India were in partnership, and in whatever was necessary for the general advantage of Imperial interests India fairly ought to bear a proportion of the charge. If India could be consulted he thought she might

be fairly asked to bear those charges ; but India had hardly ever been consulted when a large charge was thrown upon her by the Imperial Government. The fact that no Capitation Rate had been settled was not the fault of the Government of India, for they had been constantly pressing for it. Whose fault it was he would not like to say, or whether it was that mysterious Body called the Cabinet, who refused to entertain the matter. What was the cause of the bad fortune or mischance which had entangled this question so miserably for the last 20 years passed all comprehension. For his own part, he thought it quite useless to appoint more Committees to inquire into this matter. Two or three sensible men in the Cabinet, with the information they could obtain from experts, could, he believed, settle the matter in a very short time. The Indian Government had constantly represented that an inequitable use had been made of the Indian Army in Imperial expeditions. The whole of the ordinary expenses in the Abyssinian Expedition were paid by India, only the extraordinary expenses being paid by the Home Government, the argument used being that India would have to pay her troops in the ordinary way, and she ought not to seek to make a profit out of the affair. But how did the Home Government treat the Indian Government when troops were sent out during the Mutiny ? Did they say, " We don't want to make any profit out of this ? " Not a bit of it. Every single man sent out was paid for by India during the whole time, though only temporary use was made of them, including the cost of their drilling and training as recruits until they were sent out. If this principle was to be applied in sending out troops to India, surely it ought also to be adopted when Indian troops were sent on Imperial expeditions. Surely some consideration should be shown to India for the inequitable way in which she had been treated in the past in settling the charges for the future. He would not detain their Lordships upon other points. The Indian Army was of great value to England as a training school for both officers and men, and as a Reserve Force ; besides being a fruitful source of pensions. There was hardly a family in this country but some member of it was deriving his income

from the Revenues of India and spending it, of course, in this country. These were all considerations why equitable and liberal treatment should be given to India in this matter. In reference to the partnership argument, a partnership in Imperial interests existed, no doubt, between England and India. Upon that point no man had a better right to speak than the Secretary of State for the Colonies, who knew the whole thing; and what had he said upon this point? In a Despatch of 10th August, 1883, Lord Ripon said—

“It was a partnership in which the rich and powerful partner was able to prescribe the conditions under which the business was to be carried on, with very little reference to the wishes or the means of the poorer and weaker partner.”

His noble Friend also said quite truly, speaking as Governor General of India in Council—

“We doubt whether, as a matter of fact, the presence of the Secretary of State for India in the English Cabinet insures that regard for India in the execution of military reforms which India has a right to expect in the distribution of military charges between the two bountries”—

that was, if the distribution of the charges was to be regulated on the assumption that they were partners in a joint undertaking. But it was asked of those advocating the claims of India—“Why cannot you give us some sort of idea how you suggest this is to be settled?” He would, with great humility, endeavour to make a few proposals for the consideration of the noble Earl. In the first place, he suggested to his noble Friend, for the consideration of the Government, that the effective rate ought to be reduced from £7 10s. to £5 per head for 10 years. He did not think anything less than that would be fair, taking all the considerations he had mentioned into account. It was monstrous that India should have to pay the extra charge arising from the abolition of purchase in this country. As regarded the non-effective charges, he thought India should not have to pay that charge arising from the abolition of purchase in this country. With respect to the £4,000,000 increase in non-effective charges up to 1884, one-half of that sum should be borne by the Imperial Exchequer, and one of the easiest ways of doing that would be for the Imperial

Government to take over £2,000,000 India Three per Cent. Stock. Finally, he suggested that part of the charge of the special defences of India should be borne by the Imperial Government in consideration of the payments made by India for the Expedition to Egypt, and that the cost should be paid out of the profits England derived from the shares we held in the Suez Canal. If those proposals were put fairly and candidly before the other House of Parliament, he thought there would be no objection offered to such an arrangement of the matter. He would entreat the noble Earl the Secretary of State for India not to drive the question off for another 20 years, with continual correspondence upon it between the Departments, but to let it be settled for the future.

Moved, “That an humble Address be presented to Her Majesty for, Copy of a letter from the Secretary of State to the Governor General of India in Council (Financial) No. 152 of 18th August, 1892.”—(*The Earl of Northbrook.*)

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): My Lords, there is no Member of your Lordships' House who is more entitled to bring this subject forward than the noble Earl, not only because he has been Chairman for many years of a Commission which has laboriously and usefully dealt with the subject, but also because he was for a long time connected with the War Office, and has filled the high position of Viceroy of India. These home charges have been the subject of constant controversy between the India Office, the Treasury, and the War Office; and I can assure the noble Earl that I welcome any assistance given me in sustaining the very unequal combat in which the Office over which I preside is always engaged against those two great Departments. My noble Friend has referred to a letter written by my direction when I was Secretary of State for India in 1884. I entirely adhere to what I said in that letter, as I have no doubt my noble Friend adheres to the opinions he expressed in the despatches he wrote. My noble Friend has referred to the subject of the home charges. Before 1884-5 the effective Army charges were £421,000 a year; but after that period they necessarily increased con-

*The Earl of Northbrook*

siderably, because in 1885 10,000 European troops were added to the Indian Army at the time Lord Randolph Churchill was Secretary of State for India. I will not trouble your Lordships with the figures for the successive years, but in 1892-3 the effective charges amounted to £548,000. That increase is due almost entirely to the additional number of British troops now in India. The non-effective charges were formerly capitalised, with the result that a very heavy yearly home charge was thrown upon the Government of India. Now, however, the system of capitalisation has been abandoned, and the charge for pensions is made according to the actual amount due each year. This change in the system has resulted in a reduction; but the amount payable will by degrees, as the pensions fall in, probably rise again in the future. The total amount of the pension charges upon the Indian Revenue was estimated at 1892-3 at not less than £1,900,000. My noble Friend spoke—and I think with great justice—of the extreme hardships which India suffers in having to provide for charges which are in large measure due to changes effected in our military system independently of India. At the time of the abolition of purchase, I may remind your Lordships that heavy additional charges were thrown upon the Government of India. Although no such great alterations are now made, yet from time to time precisely the same thing occurs. There is generally a pressure in the other House for some change in our Army system, involving increased expense; the War Office yields to the pressure, and the Indian Government finds itself saddled with additional charges which it has had really no voice in imposing. Increased burdens of that kind, I think, may reasonably be considered to constitute a grievance; but I fear that the imposition of such burdens is not likely to cease. There will be no doubt that it is extremely difficult to determine precisely what share of these burdens ought to be borne by the respective Governments. The Indian Government is in the unfortunate position of having those matters settled for it by the Government at home, and the India Office finds that schemes involving a large increase of expenditure are frequently pressed on the Department in the House of Commons largely in-

creasing the charges against which they had originally protested, and in which they had never concurred. This was disappointing, for economists are wont to look to that House for support. Where I think India suffers is that we have no supporters, as the Home Government or the Treasury has in the other House of Parliament, which will not throw large additional taxation on this country to meet increased expenditure. I am afraid the spirit of economy is not very strong in the House of Commons now. The noble Marquess said in past years that the only hope India had of more economy was in the other House of Parliament; but that hope has vanished. The reason why proposals that must throw fresh burdens on the Government of India are so frequently made in the House of Commons is that those who make them know that their own pockets will not suffer in the desire to make things agreeable and comfortable. The taxpayers of this country exercise no check upon such proposals, and the consequence is that charges are sometimes imposed upon the Government of India which that Government thinks unjust and unnecessary. Among the subjects which my noble Friend has referred to is the subject of military stores. Recently, as far as I know, there has been no protest against stores. A more satisfactory arrangement has been made in point of management, and the Government of India have been judiciously taking steps in the last few years to render India independent of this country in the matter of military stores. As far as possible, the Indian Government now supplies its own stores. With respect to the Capitation Grant, I may remind the House that formerly the grant was £10 per man serving in India. Then it was agreed that it should be reduced to £7 10s., £3 a head having to be paid as well for deferred pay, which is a new charge, and the matter rests upon that basis at the present time. The India Office has no particular desire that the question should be re-opened and discussed anew, for bitter experience has taught the Department that the re-opening of a question of this kind generally results in the imposition of additional charges; and though it may not appear very consolatory, I am advised by those who share my noble Friend's views, and who desire as much as he does that



India should obtain a good bargain in this matter, that there is no reason for urgency on our part to have a fresh inquiry into the subject. My noble Friend said, with truth, that his Commission did not embrace the important general considerations of policy which have been urged on this subject, and it is natural that it should be so. Upon those questions of general policy which I have been invited to discuss, I do not think it at all safe to express very confident views. As to the share that India should bear of the expenses of expeditions out of that country, it appears to me that if India is really interested in an expedition, it is right that that country should contribute a fair amount towards the cost of it. It is impossible to decide upon such matters beforehand. They must be dealt with at the time. All I can say is that we think India should be fairly and generously dealt with, and not charged with the cost of these expeditions unless she has a distinct interest in them. With regard to Egypt, for instance, India has a very considerable interest. Then my noble Friend went on to raise before me visions of a most agreeable kind, which I am afraid will remain but dreams—visions of a large contribution to Indian Revenues from our portion of the Suez Canal Shares. I confess I should like to be the fortunate Secretary of State for India who receives that gift. If it should come I can assure my noble Friend we shall accept it without the slightest hesitation. As to the partnership argument, there is something even with regard to Egypt, which my noble Friend overlooked. Supposing we received a considerable sum on account of the Suez Canal Shares for which we had to pay our share in the first instance, we should have to bear our share of the expenses in Egypt, which are now being increased, and that would be a matter of very considerable difficulty to us. There are other matters which have been referred to. Take, for instance, the Colonels' allowances, as they are called. They form a considerable portion of the huge sum we pay for pensions. They used to cost the old East India Company about £150,000 a year; but now, in round numbers, they come to, I should say, £550,000. They are increasing, and will increase, very

considerably; and the whole of this arises from an interpretation put upon an Act of Parliament, I think it is 21 & 22 Vict., by certain Commissions. The question is incapable of any complete solution; but it is one which I am quite certain successive Viceroys and Secretaries of State will continue to press upon the Home Government—that is, that we should not have to bear so large a share of the Army expenses. We must try to reduce them, but I am not very sanguine that we shall be able to do so. We shall not fail at the India Office to do our utmost to keep these charges within a reasonable amount. With regard to military charges, I hope the Government of India will never forget that they have the clear and undoubted right to look in case of a great emergency to this country. If we have to keep up an Army in India equal at all times for all emergencies, that would put an intolerable burden on India. While maintaining an Army sufficient for all present purposes and sudden emergencies, I maintain that India has a right to look to this country for Reserves in case of need. And, above all, India may, to a certain extent, feel that the changes in the Army system have brought some compensation in the matter of the large increase of her Reserves. It is no small matter, because in the case of an emergency we could send out large and powerful Reserves. That is not paid for by India. I can only repeat that we are most anxious to obtain for India justice in regard to all these charges, and that no efforts on our part will be spared in this direction. I cannot sit down without thanking my noble Friend for bringing a subject before the House which is well deserving the attention of Parliament.

VISCOUNT CROSS: My Lords, I think the noble Earl the Secretary of State for India deserves our thanks for his very clear declaration that in case of an emergency India may rely on getting all the aid she may want from this country if it should come to a question of sending out Reserves. I am very glad to hear that definite statement, and I am sure it will give general satisfaction throughout the whole of India. No one knows better than myself the difficulties which beset the Secretary of State when he comes to deal with the Treasury and

the War Office. In all these battles the noble Earl may rely upon any assistance I can give, as far as it is any use to him. I hope the noble Earl will press on the Treasury and the War Office the necessity of enabling him to carry forward the plans he has sketched out this evening. I will not trouble your Lordships with many figures. The noble Earl has mentioned the £500,000 for the Colonels' allowances. Then comes the increase of Retired Pay, which was no less than £670,000 a year when I inquired into the matter. I have here a list of charges imposed, some of them against the wish of the Indian Government, and many of them without its knowledge, from 1864 to 1883, amounting altogether to no less than £884,000 a year. Undoubtedly, therefore, India has a grievance, which is increased by the fact that this sum has to be raised in rupees but paid in sterling. Some time ago I got the India Council to appoint a very carefully selected Committee to go into the whole of those charges. The Report is private, and I cannot, therefore, place it on the Table; but the Committee went through every charge, and I believe that most of their recommendations have been carried out, and that there is every disposition to do the Indian people justice in these matters. Last year an Act was passed very much enlarging the Indian Council, and the result of that Act will undoubtedly be that a great number of persons representing different phases of opinion will be placed upon it by the Governor General and by the Governors of Madras and Bombay. This matter of the home charges is one which the Indian people have at heart. I do not mean to say they are always right in their objections; but it is a matter upon which they have set their minds to do what they can to get them reduced. And I only wish now to give this caution—that I think now that these matters are entrusted to them in Council, we shall hear much more from India about these home charges than we have hitherto. The result will be to give a lever to the Secretary of State which I hope he will use against the Treasury and the War Office in carrying out his views. Of course, the question of contribution towards the Military Expenditure is a matter of policy which neither the Secretary of State in Council nor the Govern-

ment of India can regulate; but I am certain that in the course of a few years the Indian people will force us to do them justice.

\*THE DUKE OF ARGYLL said, it was now more than 20 years since he had to do with these matters; but his experience at that time had left an indelible impression upon his mind, and he was glad that the subject had been brought under the consideration of their Lordships' House. He was also glad to hear the very fair, candid, and full statement of the noble Earl opposite. The truth was that the Indian Government had been between two fires in the two large responsible Departments in this country, which were both adverse to the interests of India in this matter of money. There was no backing in the House of Commons. On the contrary, almost every year during the time he was in Office there was something else.

THE EARL OF KIMBERLEY: It is much worse now.

\*THE DUKE OF ARGYLL could only say it was very bad then. As to the main subject, the principle of division of the expenses between the Imperial and the Indian Governments, the old principle was that the East India Company paid for the actual cost of all troops employed in the defence of India. It paid for nothing more than the cost of the troops sent to India from the moment they left our shores. He happened to be in Office when the abolition of purchase was effected, and he came in for all the pressure brought to bear upon the India Office upon altogether a new principle. Mr. Cardwell, at the War Office, contended that not only should India pay the whole expense of the troops actually sent out, but a full proportion of all expenses of the British Army corresponding to the proportion of men actually serving in India. Now, that was a totally different principle. The noble Earl had stated that one-third of the British Army was actually serving in India.

THE EARL OF KIMBERLEY: Rather more than a third.

\*THE DUKE OF ARGYLL said, that new principle was that India employing one-third of the British Army should pay one-third of the whole cost of the British Army, whether direct or indirect, both at home and abroad. That, he maintained, was not a fair principle on which to

charge the Indian Revenues. His noble Friend said that India was bound to remember that she had a Reserve Force in the Army at home. That was one of the favourite arguments of Mr. Cardwell. But, turn it round, was not the Indian Army a Reserve for England?

**THE EARL OF KIMBERLEY:** I did not speak of the Army as a general Reserve so much as what is called the Reserve Force itself—about 60,000 or 70,000 men.

**\*THE DUKE OF ARGYLL** said, the real cause of the pressure was the Home Budget. The Chancellor of the Exchequer was under an imperious necessity, perhaps now more than ever, to diminish the charges to be borne. The Indian Government knew that it had no friends—no backing; and that the tendency of the House of Commons was to allow charges to be made against it. This was not a very safe position of affairs. They must know that though self-government was not given yet to the people of India as to the Colonies, still their attention was being directed in a more and more intelligent manner to this subject. He did not deny that, on the whole, the balance of obligation was enormously on the side of India. The Governments of India had maintained millions of people in a condition of peace, prosperity, and growing wealth. Our government of India had been a splendid boon to that country, and no native Administration could have maintained those regions in the condition of peace and prosperity in which they had been maintained. On the other hand, the charges to India had been large. The monetary difficulties had enormously increased, and he thought it would be a most unfortunate thing if the people of India should come to suspect that, in the interests of the English Budget, undue charges had been thrown upon Indian finances.

**\*LORD STANLEY OF ALDERLEY** said, he should confine his remarks to the India Office, and to figures of less magnitude than those which had been discussed; but if there was lavish expenditure and extravagance in the India Office, there would be room for more extravagance in the larger military administration. About three weeks ago Sir Griffith

Evans, in speaking on the Indian Budget, complained of the great number of Assistant Secretaries in the India Office. He (Lord Stanley of Alderley) had compared these figures with those of the Foreign Office in the Civil Service Blue Book; and he found that, deducting the Secretary of State and Under Secretaries, the cost of the Foreign Office was £37,949, whilst deducting the Secretary of State and Council and Under Secretaries the cost of the India Office was £46,150. The work done in the Foreign Office with the Commercial and Slave Trade Correspondence probably equalled or surpassed that of the India Office. There was another matter which was capable of arithmetical computation. The Foreign Office and India Office occupied opposite sides of a quadrangle, and the Foreign Office covered a larger space than the India Office; but Sir Griffith Evans had stated that "there were 28 housemaids, two being allowed to each Member of the Council," whilst 10 were enough for the Foreign Office. His noble Friend the Secretary of State had said that the Treasury and the House of Commons were responsible for the increased charges thrown upon India; but in respect of the India Office management the Secretary of State was free to exercise economy.

**THE EARL OF KIMBERLEY:** If the noble Lord will allow me to enter into the great housemaids' question for a moment, I think the noble Viscount opposite is responsible for the present Establishment. I do not think I have appointed any housemaids. But, having seen the Report to which the noble Lord refers, I have made inquiry into the matter, and I am informed that it is impossible to keep the rooms clean with a less number of housemaids. As to the work of the two Departments, I can assure the noble Lord that no comparison can be made between them, for at the India Office we have a vast Stores Department, and the entire work requires a much larger number of clerks. The noble Viscount some time ago inquired into these home charges, and he came to the conclusion that they were reasonable, and could not be further reduced. I am, at all times, most anxious to promote economy; and if it is possible to reduce

these charges at the India Office, my noble Friend may be perfectly certain I shall do so. I agree to the Motion.

Motion agreed to.

#### UGANDA.

##### QUESTION.—OBSERVATIONS.

\*THE DUKE OF NORFOLK asked the Secretary of State for Foreign Affairs—(1) About what date the Report of Captain Macdonald on affairs in Uganda was likely to be received; (2) What was the scope of the inquiry that he has been directed to make; (3) Whether the Government would give facilities for the production of any Papers and Correspondence bearing upon the subject of the inquiry? He said that, considering the many Reports that had reached this country, it was to be regretted that no official Report had as yet been made as to affairs in Uganda. He trusted that the scope of Captain Macdonald's Report would be such as would enable their Lordships to enter into a discussion on the question; because anyone, in order to discuss the question satisfactorily, must have before him the instructions of the Company to their agents. It was alleged that considerable grievances were complained of by the Catholics in Uganda, and hostilities were the outcome of those grievances. It was also alleged that offenders, if they belonged to the Protestant party, were dealt with leniently by the agents of the Company, while members of the Catholic party had been actually deprived of their land by the Company. He urged that when documents were produced upon the subject extracts from letters and papers should not be made use of alone, but that the whole Paper from which any extract was taken ought to be produced. He was bound to say he wondered very much that the Company had not been eager to produce every scrap of evidence that would justify their rule, or tend to mitigate their responsibility for the catastrophe in which that rule culminated. In the Reports made to the Company by its agents that were published the statements were very meagre as to the events which led up to hostilities; but it was stated that arms were served out to the Protestant party, who, supported by a Maxim gun, were let loose upon the Catholics, that

Mengs was reduced to ruins and all the Catholic houses fired. The Catholics took refuge on the islands, but the Maxim gun was directed upon them, and many women and children were killed; and those who escaped that fate were made captive, and there was reason to fear they had been returned to slavery. Finally, the Catholics had had forced upon them the Treaty which gave them only one-seventh of the country. Their Lordships ought to have the evidence of all witnesses, Protestants as well as Catholics, bearing upon a story on which no Englishman would care to dwell. The Report ought to be a comprehensive one; it ought to go into everything connected with the administration of the East Africa Company, and it ought to be supported by the production of every document which was calculated to throw light upon the case.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Earl of ROSEBURY): I think my noble Friend will agree with me that nothing could be more inconvenient than to anticipate the production of Captain Macdonald's Report by a premature discussion of the events upon which that Report will adjudicate. Therefore I will not follow the example of the noble Duke, but I will proceed briefly to answer his three questions. As to the date when the Report may be expected, I have no means of knowing any more than my noble Friend. The cause of the delay in the production of that Report is very simple. My Predecessor in Office sent Captain Macdonald instructions—I think on the last day of June—to report on the various occurrences which had taken place in Uganda. These instructions did not reach Captain Macdonald in the country, or they crossed him on his return to the Coast, and he arrived at the Coast without having received them. Later on Her Majesty's present Advisers thought it well to reiterate these instructions by telegram to Captain Macdonald, and ordered him to return to Uganda. He then returned, and from that time to this we have had no tidings from him except that he has arrived safely at Uganda. Under these circumstances, my noble Friend will agree with me it is useless, not merely to anticipate the Report by discussion, but to speculate as to the time when it will be received. As to

the scope of the inquiry, my noble Friend will find the instructions in the published Despatch of Lord Salisbury, dated June 24 last year, the first page of Africa, No. 8, 1892. We have not thought it well either to add to or to deduct from these instructions, which seemed to us adequate, and I do not doubt my noble Friend will be as satisfied with them as we are. As regards the production of Papers, I can only say we have no more Papers to produce until we receive Captain Macdonald's Report. So far as I know, the noble Duke has had access to all Papers in my charge referring to this matter; and what more I can do at this moment, though he speaks in a tone of complaint, I am at a loss to see.

\*THE DUKE OF NORFOLK said, he had not spoken in a tone of complaint, but rather in hopeful anticipation. Could not the Company be asked to produce papers in its possession?

THE EARL OF ROSEBERY: We have no authority to make the Company produce any papers. I am not aware they have been accused of having withheld any. My impression is they have fully and freely produced all they have. If it be not so, we have no means of compelling them to do otherwise.

#### CLAIMS FOR QUIT-RENTS.

##### QUESTION.—OBSERVATIONS.

\*LORD MORRIS asked Her Majesty's Government whether their attention had been directed to claims made by the Commissioners of Woods and Forests for obsolete quit-rents, not demanded for over 60 years, notwithstanding the Nullum Tempus Act, which was obviously intended to meet such demands? He reminded their Lordships that the Nullum Tempus Act was in reference to lapse of time being pleaded in regard to Crown debts. As regarded Ireland, however, as long ago as 1808, an Act was passed providing that the King's Majesty should not sue for any rents by reason of any title which had not accrued for 60 years next before the time of recovery. That would cover all the claims now being made by the Commissioners of Woods and Forests. But there was an exception in regard to what was called in charge to Her Majesty. This, it appeared, meant quit-rents credited to Her Majesty

and entered in the rolls, but not received. In 1878, in consequence of that exception, an Act was passed (39 & 40 Vict. c. 47) providing as to rents for the space of 60 years before the filing of any action. The object was to put an end to the question of liability, where no money had been received for 60 years, though credited in the books as if received by Her Majesty. So matters had remained until within the last two years, when some ingenious Adviser of the Commissioners suggested that that Act, which was brought in for the purpose of clearing up any difficulty under the 8th George III. could also be evaded, and, accordingly, a claim had been made before the Land Commissioners for the moderate period of 170 years, no quit-rent having been paid on that estate for that time. Mr. Justice Bewlay said the intention of the 39 & 40 Vict. was to put an end to any dispute; but the words there—"held, enjoyed, or taken"—only applied to cases where somebody had received the quit rents. In that case the claim was for 171 years at £1 13s. 1½d.; but the Commissioners agreed to accept five years, and asked for no costs. It was thought not worth while, in those circumstances, to run the risk of an appeal, and having to pay 171 years' rent instead of five; and the Commissioners were now furbishing up quit-rent cases which had not been received for as long as 200 years, though it was both common-sense and good law that where no payments had been made for such long periods it should be presumed they had been bought up or in some way discharged. This, as might be imagined, would constitute a charge upon land in Ireland dealt with under the Land Purchase Act, and owners found they had to pay some old claim upon a survey made in the middle of the 17th century. Many persons were being called upon to pay these claims which, though for small amounts, were a subject of great annoyance, which was not removed by their being told they were treated with great generosity in being called upon to pay only five years of those obsolete demands for 170 and 200 years' quit-rents. If they were to be persevered in it would be necessary to pass another Act, saying that the former one expressed what, in his humble judgment, it really did express.

*The Earl of Rosebery*

LORD INCHQUIN thought that these claims were being put forward as a mere game of brag by the Government, because he did not believe the Commissioners of Woods and Forests were at all aware whether the claims made were good or bad. They ought to have put forward the names of the gentlemen concerned in the different estates at once, whereas they had acted in such a way that it was unlikely that any individual, except one with a long purse, would try the question by appeal. He knew of one claim for 150 years, but, fortunately, the owner possessed documents going back to the time of Strafford, when, in fact, a great many of the quit-rents in Ireland began; and he was, therefore, able to show the Commissioners of Woods and Forests conclusively that the claim could not be substantiated. Whatever information the Government had got was evidently of quite recent date, and his point was that they were not taking the right course in the matter in making it absolutely impossible for these cases to be tried except, as he had said, by people with very long purses. He had no doubt that whoever had the courage to resist these claims would be successful.

\*LORD KENSINGTON said, the Commissioners of Woods and Forests had not, in making these claims, done anything beyond their absolute duty. These quit-rents and Crown revenues from Ireland were not placed under the management of the Woods and Forests until 1827, when they were transferred from the Commissioners of Excise in Ireland. At that time the arrears of quit-rents amounted to about £114,000, of which upwards of £83,000 was described as "insolvent." The Commissioners of Woods and Forests encountered the greatest difficulty in the identification of the lands on which claims were leviable, but much information as to titles and otherwise became available in consequence of proceedings before the Land Commissioners. Before taking any step the Commissioners of Woods and Forests obtained the opinion of the Law Officers of the Crown. It was an opinion—

he quotes the opinion, he will have to lay it on the Table.

LORD KENSINGTON : The opinion of a Law Officer ?

THE MARQUESS OF SALISBURY : Yes. It would be contrary to all precedent to cite an opinion of the Law Officers in that way.

THE LORD CHANCELLOR : With all respect, it is constantly stated that action taken was on the advice of the Law Officers. I quite agree that the terms of the opinion may not be quoted.

THE MARQUESS OF SALISBURY : Not only not the terms, but the purport of the opinion even cannot properly be given unless the opinion is laid on the Table.

THE EARL OF KIMBERLEY : I venture to question that, because I can recollect cases in which it was stated that Her Majesty's Government had been advised by the Law Officers of the Crown in a certain direction. It has always been held that an opinion of the Law Officers need not be produced.

THE MARQUESS OF SALISBURY : Quite so; but you do not state the purport of the opinion of the Law Officers.

THE EARL OF KIMBERLEY : When it is stated that after taking the opinion of the Law Officers a Government or a Department has done so-and-so, it becomes obvious what the purport of the opinion has been.

\*LORD KENSINGTON would be glad to know, without in any way stating the opinion of the Law Officers, if it would be in Order to mention the date on which it was given, and the names of the Law Officers.

THE EARL OF KIMBERLEY : You may mention the date.

THE MARQUESS OF SALISBURY : It is sufficient to state the course that has been taken by the Government.

\*LORD KENSINGTON said, without pressing the matter, he would then simply state that the question had been referred to the Law Officers on more than one occasion; and a case having at length come before the Land Court, and it appearing that the Nullum Tempus Act did not bar the claim, the Department felt bound to make it. The amount payable in most cases was small. The Commissioners had power to accept less than the full amount of arrears due, but

OF SALISBURY :  
before the noble Lord  
out to him that if

they had no power to relinquish the Crown rents to themselves.

\*THE MARQUESS OF WATERFORD said, that all over Ireland those claims were being made for very small sums in the hope that the people concerned would not be able to prove that they did not owe the money. The proceedings of the Commissioners of Woods and Forests had been rightly described by noble Lords as "a game of brag and grab," and even a worse description might be given to them. It was a very questionable step altogether on their part, and he could not understand how any Law Officer could have recommended it to be taken. In the case of a claim made on his own estate, not one shilling had been paid for over 100 years; and when he showed fight the claim was quickly dropped. The Woods and Forests acted in a very extraordinary manner. They made claims for small amounts, trusting that the proprietors would not think it worth while to fight them, and thus they would get them yearly for the future. The Woods and Forests also attempted to bribe the proprietors by saying, "You will only have to pay, if you submit, five years' arrears and no costs; whereas, if you refuse to pay that, you will have to pay the claims for the last 170 years or so and all the costs." That was a distinct bribe, and he was reluctant to believe that any Law Officer would have advised anything of the kind. It was an outrageous thing that over all Ireland, in the present ruinous state of agriculture, such unjustifiable claims should be made, and he hoped that the Commissioners would stop making them in future.

\*LORD LECONFIELD had only a few words to say on this matter, in addition to the remarks which had been made by noble Lords on the policy adopted by the Woods and Forests Office. In the letter they wrote to him stating that his extract from Strafford's Survey clearly showed that their claim for a quit rent in default for 171 years could not be maintained, they added a quotation from a lecture delivered by a Mr. Harding in 1864 upon the Strafford Survey which was destroyed in a fire that occurred in 1711, to the effect that copies of that Survey might still be found in the possession of some of the larger landowners in Ireland. His extract showing that he was

in possession of at least a portion of that Survey, led them to ask to be furnished with particulars with regard to that portion. This, he thought, was very like Mrs. Bond's invitation to her ducks; and that if he allowed them to go to his office, and they discovered that quit-rents had been paid, but were 200 years in default, he might have to pay a very large amount. Consequently, he declined the invitation on the advice of his solicitor.

THE LORD CHANCELLOR: My Lords, if the Commissioners of Woods and Forests, after taking the advice of the Law Officers of the Crown, believe that a debt is due to them, it is no longer a matter of discretion, but it is their business to see that the debt is paid. I do not see how the Commissioners of Woods and Forests could, in defiance of what they were advised, release the persons in question. But I would say that, in my opinion, if this is the law, it ought not to continue to be the law, as it is totally opposed to the spirit of modern legislation, and it is, I think, monstrous, if these cases are not covered by the Nullum Tempus Act, that they should not be covered by it. I am, therefore, heartily at one with the object of the noble and learned Lord who has brought the matter before the House. I hope the decision to which he has referred may, if it is wrong, be reversed; and if held to be right, that it may be counteracted, if necessary, by legislation.

\*LORD ASHBOURNE said, he felt sure there was not a single Member of their Lordships' House who had heard the temperate statements of Lord Morris and other noble Lords but would be shocked by the way in which this Board administered affairs by making these old demands in Ireland. Their Lordships ought, before the discussion closed, to have a clear understanding that the obvious intent of the enactments which culminated in the Nullum Tempus Act should be given effect to. Why should any man have to pay on claims which for a period of 200 years had fallen into disuse? He should be very much surprised if the opinion of any Law Officer could be produced to show advice that rights, even if given under a technical aspect of the law, should be asserted without qualification in all cases, and it appeared it was only of late years

that the claims had been made, from information derived during the sales under the Land Purchase Acts. He did not think that it was quite fair to act on information obtained in that way when landlords, in working out sales to their tenants, had to disclose their titles. The only information that ought to be supplied was what was necessary for the purposes of the sale. No matter what decisions might have been given in the Land Commission Court, it was a harsh proceeding to pursue these old and obsolete claims, and he hoped that after the very strong expression of opinion embodied in the word "monstrous" uttered from the Woolsack—rare condemnation to come from a noble and learned Lord in that exalted position—no more would be heard of them.

LORD HALSBURY said, that he must protest against the principle that every Crown right, however old and obsolete, however unjust and tyrannical it might be to exact it, it was the duty of a Government to enforce. Speaking from his own knowledge as a Law Officer, many claims might arise which it would be extremely undesirable to enforce. An opinion of the Law Officers on an abstract question of the law might be a totally different thing from the point whether it was desirable or proper to deal with the matter in particular circumstances. The opinion of the Law Officers upon the matter of law was, therefore, no justification to the Department for enforcing obsolete and extravagant claims. The question here was directed rather to the administration of the law than to what the law actually was, and therefore whatever opinion was given afforded, he considered, no ground for the course pursued.

\*LORD MORRIS expressed his satisfaction with the opinion given by the noble and learned Lord on the Woolsack, and said he proposed after Whitsuntide to bring in a short Bill of two or three lines which would, with their Lordships' consent, put an end to all questions on the subject.

THE LORD CHANCELLOR : Having regard to the announcement of the noble Lord, and the course which the discussion has taken, I certainly do not think the Department would be in the least to blame, or be regarded as

neglecting their duty, if they were to shut their eyes for a time to the existence of these claims to arrears.

BURGH POLICE (SCOTLAND) ACT (1892)  
AMENDMENT BILL.—(No. 95.)

COMMITTEE.

House in Committee (according to Order).

Clause 1.

Verbal Amendments made.

Clause 2 agreed to.

\*LORD PLAYFAIR moved, in page 3, after Clause 2, to insert the following New Clause :—

3. Notwithstanding anything contained in the said Act, its provisions shall not apply to any burgh or regality or burgh of barony which is not a police burgh as therein defined, unless and until the sheriff, upon the requisition of any seven or more householders, shall have convened a meeting of householders for the purpose of considering whether the said provisions shall be adopted, and such burgh of regality or burgh of barony declared to be a burgh in the sense of the said Act, and the sheriff shall have found and declared, after a meeting, and, if necessary, a poll, of householders, as is herein-before provided in the case of a populous place, that the said Act has been adopted, and that such burgh of regality or burgh of barony is a burgh in the sense of the said Act."

THE MARQUESS OF LOTHIAN asked whether the noble Lord in charge of the Bill had taken into consideration the position of burghs of barony and burghs of regality as regarded the smaller populous places? He thought the same conditions should be extended to those small burghs as to the others. He had received a petition from some of them expressing regret that they were not included in the Government Bill, and it was accompanied by a statement sent up from the Scotch Office. It was quite possible, under the Bill as it stood, that seven householders in a burgh might ask to have their boundary settled, though the entire remainder of the population of the place might be against it, and the Sheriff would have no option whatever, but would be compelled to carry out the wish of the seven persons in that small burgh of barony. Perhaps the noble Lord would re-consider the clause so as to give all the householders in those cases an opportunity of stating whether they wished to remain as they were or desired to have their boundaries fixed by



the Sheriff and become a police burgh. He thought it was only fair that opportunity should be given.

\***LORD PLAYFAIR** said, the difference between the two classes of places was that in populous places the Bill enabled the opinions of the inhabitants to be taken before they became burghs. The original Act which this Bill was to amend came into operation on that very day, and the whole of these burghs of barony, and of regality, would then become police burghs under the Act. He was informed from the Scotch Office that the Petitions to put these burghs into the position of populous places under the Bill had come from the County Councils, and not from the burghs. As the Bill would not go further until after Whitsuntide, the noble Marquess and others would have time to obtain an expression of opinion from the smaller burghs, but to give a retrospective action to the measure would be very difficult.

**THE EARL OF CAMPERDOWN** asked whether the Amendment might be again brought forward after the Recess?

**LORD PLAYFAIR** said, he would consult upon that point. At all events, an opportunity would now be afforded of considering the matter.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 98.)

#### PRIVATE AND PROVISIONAL ORDER CONFIRMATION BILLS.

Ordered, That Standing Orders Nos. 92 and 93 be suspended; and that the time for depositing petitions praying to be heard against Private and Provisional Order Confirmation Bills, which would otherwise expire during the adjournment of the House at Whitsuntide, be extended to the first day on which the House shall sit after the recess.

#### OYSTER AND MUSSEL FISHERY PROVISIONAL ORDER CONFIRMATION BILL [H.L.].—(No. 63.)

House in Committee (according to order); Amendments made; Standing Committee negatived. The Report of Amendments to be received To-morrow.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 2) BILL.—(No. 71.)

House in Committee (according to Order); Bill reported without amend-

*The Marquess of Lothian*

ment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> To-morrow.

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.—(No. 77.)

Read 3<sup>a</sup> (according to Order), and passed.

#### PILOTAGE PROVISIONAL ORDERS BILL. (No. 75.)

Read 3<sup>a</sup> (according to Order), and passed.

#### MILITARY LANDS (PROVISIONAL ORDERS) BILL.—(No. 74.)

Read 3<sup>a</sup> (according to Order), and passed.

#### DAY INDUSTRIAL SCHOOLS (SCOTLAND) BILL.—(No. 41.)

Read 3<sup>a</sup> (according to Order), with the Amendments; a further Amendment made; Bill passed, and returned to the Commons.

#### LAW OF DISTRESS (IRELAND) BILL. (No. 42.)

Read 3<sup>a</sup> (according to Order), with the Amendments; and passed, and returned to the Commons.

#### RIVERS POLLUTION PREVENTION BILL [H.L.].—(No. 64.)

Read 3<sup>a</sup> (according to Order), and passed, and sent to the Commons.

House adjourned at a quarter past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

## HOUSE OF COMMONS,

*Monday, 15th May 1893.*

### QUESTIONS.

#### INCOME FROM LAND.

**MR. LOGAN** (Leicester, Harborough): I beg to ask the Secretary to the Treasury if his attention has been called to Table 14 of the Statistical Abstract for the United Kingdom for 1892, compiled by the Commercial De-

partment of the Board of Trade, in which, while the income from land subject to Income Tax is stated to have decreased in England and Wales to the amount of £10,432,645, and in Scotland to the amount of £1,314,854, between the years 1877 and 1891 inclusive, the income from land subject to Income Tax in Ireland has increased by £3,687 during the same period; and whether he can state the class of land to which this increase is due, and say in which portion of Ireland it is situated?

**THE SECRETARY TO THE TREASURY** (Sir J. T. HIBBERT, Oldham): The Tables to which the hon. Member's question refers show the gross assessments to Income Tax. But, whereas these assessments in Great Britain are based upon rack-rental, in Ireland they are based on Griffith's valuation, which was, on the average, 20 or 25 per cent. below rack-rental. Until the actual rental falls below the valuation the assessment is not changed. Hence, although there may be, and, as a matter of fact, has been, a great fall in the value of land in Ireland since 1877, the Income Tax assessment in most cases shows no change. The small increase to which the hon. Member refers is believed to be due to an increase of value from the erection of farm buildings, which, for Income Tax purposes, are valued with the land. I have no figures enabling me to fix the situation of such increase.

#### INLAND REVENUE CLERKS.

**SIR FREDERICK DIXON-HARTLA ND** (Middlesex, Uxbridge): I beg to ask the Secretary to the Treasury, with reference to the 50 Second Division Clerks of the Inland Revenue Department who have been promoted to the Higher Division and to superior posts, how many were promoted to Higher Division clerkships in the Secretary's Office, in the Accountant and Controller General's Office, in the Controller of Stamps and Stores Office, and in the Legacy Duty Office; of this number how many were required to pass a special examination before being promoted; and of the 50 promotions mentioned, how many were appointments to Assistant Surveyorships of Taxes in the Outdoor Service, subject to a special examination?

**SIR J. T. HIBBERT**: The figures are as follows:—Secretary's Office, none;

Accountant and Controller General's Office, none; Controller of Stamps and Stores Office, 6; Legacy Duty Office, 13. Of the last 13, 8 were called upon, after selection for promotion, to pass a qualifying examination in law. 31 of the 50 cases were appointments to Assistant Surveyorships of Taxes, made after success in a competition conducted by the Inland Revenue Authorities in "the Law and Practice relating to Taxes."

#### THE WEST COAST OF SCOTLAND FISHERIES.

**MR. WEIR** (Ross and Cromarty): I beg to ask the Secretary to the Admiralty whether the Department will provide, instead of the old sailing ship *Vigilant*, a steam cruiser for the North-West Coast of Scotland to protect the fishermen from trawlers?

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. E. ROBERTSON, Dundee): The *Vigilant* is not an Admiralty vessel, and it is not proposed, therefore, to replace her with a steamer provided by the Admiralty.

#### THE CASE OF MICHAEL O'KEEFE.

**MR. FLYNN** (Cork, N.E.): I beg to ask the Secretary of State for War if the case of Michael O'Keefe, formerly of A Troop, Madras Horse Artillery (now in the refuge for aged poor established at Montenotte, Cork, by the Little Sisters of the Poor), has been brought under the notice of the War Office; is he aware that this man fought through the Indian Mutiny, took part in several engagements, and received a medal and clasp for distinguished services in the field; and whether, in view of these services and his advanced age, he will entertain his claim to a moderate pension?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): Michael O'Keefe's service was entirely under the Honourable East India Company. I regret that he did not serve long enough to be qualified for a special pension.

**MR. FLYNN**: Is there any special machinery for inquiry into these cases?

**MR. CAMPBELL-BANNERMAN**: Yes, Sir; the Chelsea Commissioners are most trustworthy, and discharge the duty most efficiently.

#### THE ACCOMMODATION IN THE HOUSE OF COMMONS.

**COLONEL HOWARD VINCENT** (Sheffield, Central): I beg to ask the First Commissioner of Works if he has observed that large numbers of hon. Members are daily unable to find seats from which they can take part in the proceedings of the House, and that when a Division is called there is a crowd of several hundred Members so jammed together at the Bar as to be unable to hear or understand what is taking place; and if, under such circumstances, the Government still persists in refusing to appoint a Committee to consider the enlargement of the present Chamber? Is it not also a fact that at 3 o'clock this afternoon there was not a vacant seat on these Conservative Benches?

**THE FIRST COMMISSIONER OF WORKS** (Mr. SHAW LEFEVRE, Bradford, Central): I think the hon. Member has rather overstated his case. On Monday last, the first day of the Committee of the Home Rule Bill, the House was certainly most inconveniently crowded during its whole Sitting, more so than on any other day since Easter; since then, however, during the remainder of the week, although very large numbers of Members have been in the precincts of the House, and have taken part in the Divisions, I have not observed that the House has been filled except during the few minutes preceding Divisions, and there has seldom been a time when 30 or 40 more Members might not have found seats in the body of the House. I am rather confirmed by this in my view that it would be wise to wait for further experience as to the normal requirements of the present Parliament before appointing a Committee.

#### RETIREMENT IN THE DIPLOMATIC SERVICE.

**CAPTAIN BAGOT** (Westmoreland, Kendal): I beg to ask the Under Secretary of State for Foreign Affairs whether, on the Comptroller and Auditor General calling attention to the payment of salaries to officers of Her Majesty's Diplomatic and Consular Services when those officers were beyond the limit of age at which they should have been retired under the Order in Council of

15th August, 1890, he was informed that the provisions of the Order in Council do not, in Lord Rosebery's opinion, apply to members of the Diplomatic and Consular Services; and whether he can state the reasons which have induced the Secretary of State for Foreign Affairs to come to a conclusion on this point in contradiction with that of the Comptroller and Auditor General?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): The Diplomatic Service has always been regarded as distinct from the Civil Service, and in many points the Consular Service must be also regarded as distinct. The Royal Commission on Civil Establishments made a separate Report on the Diplomatic and Consular Services, and their recommendations require separate consideration. No question, therefore, arose of applying the Order in Council to those Services.

#### COVENTRY CHARITY TRUSTEES.

**MR. BALLANTINE** (Coventry): I beg to ask the Parliamentary Charity Commissioner whether the Charity Commissioners will refuse their sanction to the ten vacancies in the body of Trustees of the general charities of Coventry being filled up on the nomination of the existing Trustees; and whether the Charity Commissioners will give effect to Sir John Swinburne's Resolution, agreed to by the House of Commons on the 18th May, 1886, by proposing a scheme placing the election of the new Trustees in the hands of the Town Council of Coventry?

**THE PARLIAMENTARY CHARITY COMMISSIONER** (Mr. T. E. ELLIS, Merionethshire): The proceedings upon the application for the appointment of Trustees received in the month of June, 1892, have been suspended until the Commissioners shall receive from the Trustees such a further application as will enable the Commissioners to establish a scheme providing that a certain number of future Trustees shall be appointed otherwise than by co-optation.

#### H.M.S. "DAPHNE."

**MR. GOURLEY** (Sunderland): I beg to ask the Secretary to the Ad-

miralty whether he can afford the House any information regarding the boiler explosion which occurred on board H.M.S. *Daphne*, twin screw, when on her way in March last from Esquimalt to Hong Kong, to join the China Squadron; whether there are no appliances in Hong Kong Dockyard sufficient to effect even temporary repairs, and that the vessel must wait until a new furnace is sent out from England; and what measures the Admiralty intend adopting for the purpose of providing appliances necessary for the repair of Her Majesty's ships in hull and machinery engaged cruising in Chinese waters?

MR. E. ROBERTSON: A furnace crown of one of the *Daphne's* boilers is reported to have come down on the bars. The appliances in Hong Kong Dockyard are sufficient to effect the repair. Very extensive repairs are carried out at Hong Kong Dockyard to both hulls and machinery of Her Majesty's ships on the China Station with the present plant, to which additions will be made as required.

MR. GOURLEY: How long will the repairs occupy?

MR. E. ROBERTSON: That I cannot say.

#### DESERTIONS FROM THE ROYAL NAVY.

MR. GOURLEY: I beg to ask the Secretary to the Admiralty whether about 70 men have deserted from H.M.S. *Blake*, and other vessels forming the British Squadron attending the International Naval Review at New York; if so, have the Admiralty received any official information as to the cause of the desertion; if not, is it the intention of the First Lord to institute an inquiry; and whether any Consular Convention exists, applicable to seamen of the two Navies, between this country and the States, or whether similar regulations exists between the two countries with regard to desertions, as in the days of slavery?

MR. E. ROBERTSON: No official Report has been received relative to alleged desertions from H.M.S. *Blake* and other vessels of the British Squadron. The Treaty between Great Britain and the United States of 3rd June, 1892, respecting desertions from the Mercantile Marine does not include the surrender of

deserters from ships of war. No other arrangement bearing upon the subject exists between the two countries.

#### THE HANSARD UNION PROSECUTION.

MR. POWELL WILLIAMS (Birmingham, S.): I beg to ask the Secretary to the Treasury what fees in addition to salary are payable to the Solicitor General, under the new system recently introduced, in connection with the prosecution of Bottomley and others at the last Old Bailey Sessions?

SIR J. T. HIBBERT: I am not yet in a position to state the amount of the fees; but the Solicitor General will be paid professional fees under Clause 5 of the Treasury Minute of December 5th, 1892. Neither under the old nor the new system did the salary of the Law Officers cover contentious work.

MR. POWELL WILLIAMS: When will the right hon. Gentleman be able to state the amount of the fees? I am well aware the salary does not cover such cases as this.

SIR J. T. HIBBERT: I cannot say how soon.

MR. POWELL WILLIAMS: I will put the question down for Thursday.

SIR J. T. HIBBERT: I do not think it will be possible to give a reply before Whitsuntide.

LORD R. CHURCHILL (Paddington, S.): Are not the fees marked on the brief? Will a statement be made at any time during the Session, or will there appear in the accounts for the year anything showing the exact amount received by the Law Officers under the new arrangement?

SIR J. T. HIBBERT: I must ask the noble Lord to put the question on the Paper.

MR. POWELL WILLIAMS: Arising out of that answer, I should like to remind the right hon. Gentleman that the Civil Service Estimates are to be taken on Thursday. Will he undertake the Vote relating to this matter shall be postponed until we get the information we are asking for?

SIR J. T. HIBBERT: I will endeavour to get the information in time.

# ATTACK ON THE EDITOR OF THE "SIAM FREE PRESS."

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Under Secretary of State for Foreign Affairs if he is aware that on the 28th March last, as Mr. Lillie, editor of *The Siam Free Press*, a British subject, was on his way to meet by appointment the chief of the Bangkok Police, his carriage was stopped at the city gates by a number of natives who were lying in wait for him; that six of these natives attacked him with bamboos in the presence of the police, who did not interfere; that Mr. Lillie was knocked down insensible, and carried, bleeding from wounds, to the British Legation; and whether the British Resident at Bangkok has reported on the subject?

SIR E. GREY: No Report on the subject has been received from Her Majesty's Minister at Bangkok since an answer was given to the hon. Member's previous question on the 17th ultimo. As then stated, Mr. Lillie's proper course, if a British subject, is to make his complaint to the Siamese Authorities through the British Consul.

MR. W. REDMOND: Will the hon. Baronet communicate with the British Minister, and find out if the report is true?

SIR E. GREY: I have no objection to asking for a Report, although it is not usual.

## SPIRIT DEALERS' LICENCES.

VISCOUNT CURZON (Bucks, Wycombe): I beg to ask the Chancellor of the Exchequer whether the licences coming within the provisions of the Liquor Traffic (Local Control) Bill include the spirit dealers' additional retail licence to sell spirits by retail for consumption off the premises in any quantity not less than one reputed quart bottle, and in premises occupied and used exclusively for the sale therein of intoxicating liquor; and, if not, whether it is the intention of the Government to bring these licences within the scope of the Bill?

THE CHANCELLOR OF THE EXCHEQUER (Sir W. HARCOURT, Derby): Not being Justices' licences, they are not included in the Bill. It is not intended to interfere with these licences.

# SOLICITORS AND BOARDS OF GUARDIANS.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the President of the Local Government Board whether, having regard to the provisions of Section 14 of "The Poor Law Amendment Act, 1842," a solicitor acting professionally, personally, or through his firm, for a Rural Sanitary Authority, and receiving payment for such professional work out of the poor rates of the Union, and notwithstanding that such payment is not illegal, is capable of serving as a Guardian in such Unions; and, if not, whether, upon the facts and names being placed before the Local Government Board, they would make any representation or suggestion to the Board of Guardians, with a view of any such solicitor ceasing to serve as a Guardian?

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The Poor Law Amendment Act, 1842, to which my hon. Friend refers, provides that, if any question should arise as to the right of any person to act as an elective Guardian, the Local Government Board may, if they think fit, inquire into the circumstances of the case, and issue such order therein as they may deem requisite for determining the question. Looking to the appellate jurisdiction of the Board in the matter, I should not feel justified in expressing any opinion, directly or indirectly, as to the right of a Guardian to act in a particular case, except on an appeal, and after the previous inquiry into the circumstances which the Statute contemplates.

## THE TRALEE AND DINGLE RAILWAY.

SIR THOMAS ESMONDE (Kerry, W.): I beg to ask the President of the Board of Trade whether he is aware that five houses have recently been set on fire by sparks from engines of the Tralee and Dingle Railway, and two of them burned to the ground; whether any recommendations have heretofore been made by the Board of Trade to the Tralee and Dingle Railway, with a view to preventing such occurrences; and, if so, with what effect; if he can state the number of houses set on fire, and the number of horses and cattle killed and injured by the Tralee and Dingle Railway during

the past 12 months; and whether any steps will be taken by the Board of Trade to prevent the continuance of the injuries done by this railway to the inhabitants of the district through which it runs, and for which injuries they and not the railway have to pay?

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. MUNDELLA, Sheffield, Brightside): I have been in communication with the Company with reference to the hon. Member's question, and I am informed that only one house has been completely burned, another slightly damaged, and a forge belonging to the Company partially destroyed. I am also informed that ten head of cattle were killed and four injured by the Company's trains within the last 12 months; but in all these cases they were trespassing on the public road by night. All the engines are fitted with the most approved appliances to prevent the emission of sparks.

**SIR THOMAS ESMONDE**: I beg also to ask the President of the Board of Trade whether he is aware that lately a train on the Tralee and Dingle line left Tralee at 2 p.m. for Castlegregory, and had to pull up twice between Camp and Castlegregory to raise steam, the delay on each occasion being for about half-an-hour; that when near Castlegregory, at a place called Kelly's Height, it was found that the engine was unable to pull the carriages up the hill, and that two of them were detached while the engine ran on with one for Castlegregory; that, before going far, the engine, going round a sharp curve, ran off the rails; that the travellers by the train had to walk into Castlegregory, where they were detained until 11 p.m., then another engine was sent from Dingle to take them back to Tralee, which place they reached after midnight; and whether, in view of the circumstance that this railway was passed by the Board of Trade Inspector as properly constructed and properly equipped, against the protest of the representative of the ratepayers of the district, the Board of Trade will take steps to have the condition of the line and the capacity of the engines investigated?

**MR. MUNDELLA**: The facts are as stated. A light engine was run with the train in question in place of the

heavy engine, which was undergoing repairs. The engine left the rails (partially) on a straight between two curves; but the Company can assign no reason for the accident except expansion of the rails caused by the very warm weather. An inquiry will be held into the cause of the accident; but it must be remembered that the circumstances of these light railways differ from those of an ordinary railway. I am not aware of any protest against the opening of the railway in 1891.

#### TOTTENHAM FEVER HOSPITAL.

**MR. HOWARD** (Middlesex, Tottenham): I beg to ask the President of the Local Government Board whether, having regard to the unanimous opposition at the recent local inquiry by the authorities in the Tottenham Division to the proposal of the Metropolitan Asylums Board that the temporary fever hospital there should be made a permanent institution, he will suggest to that Board that they should complete the inquiry by themselves taking fresh evidence and making further investigation as to alternative sites within the Metropolitan area?

**MR. H. H. FOWLER**: The inquiry with reference to the hospital at Tottenham was held by two of the Inspectors of the Local Government Board on Tuesday last, and their Report has been received to-day. I understand that the Metropolitan Asylums Board were satisfied with respect to the proposed site before they submitted it for the approval of the Local Government Board.

#### ALLEGED DISTURBANCE BY FOREIGNERS IN HYDE PARK.

**MR. PICTON** (Leicester): I beg to ask the Secretary of State for the Home Department whether his attention has been called to a disturbance occasioned in Hyde Park on Sunday the 7th instant by the interference of foreigners, apparently Russians, with the proceedings of the Society of Friends of Russian Freedom; whether he has been made acquainted with the statement of a lady, an English member of that Society, to the effect that the police, instead of affording protection to her and her friends, treated her with rudeness and even violence; whether he has been informed that a

young person, the domestic servant of the lady in question, was so seriously injured, owing to a refusal of police protection, that she had to be removed in an ambulance; whether he has any reason to believe that the disturbers were emissaries of the Russian police or in any way under their direction; and whether he will take means to secure to British subjects and foreign exiles effective protection against molestation of this sort?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I am informed that there was no disturbance on the occasion referred to by my hon. Friend. From the Report which I have received from the Commissioner of Police, it appears that the police constable on duty opposite the Marble Arch saw a number of printed bills tied to the park railings and two men and a lady selling papers to a large crowd. The sergeant informed them that they were infringing the rules of the park and requested them to move, and offered them police protection; but, on being informed by the lady that they had been in the same place by permission in former years, he did not interfere further until the arrival of the Inspector, when he drew his attention to the matter. The lady informed the Inspector that they had permission to be there, and declined to move the books and papers. On being asked from whom they had received permission, she stated that an Inspector had allowed them to stand there last year. The lady became excited, and, on finding a crowd was being attracted, the Inspector turned to the man and said that if the posters were removed he would take no further action; and, on this being done, he moved the crowd back, and, leaving a police constable and two sergeants to see that they were not molested, left them. The Inspector states that they were not attacked by the crowd in any way, and he noticed no foreigners around or near them, that there was no young girl present, and no ambulance was brought into requisition. There is no foundation whatever for the statement that the police were influenced or actuated in any way in their action by private persons.

MR. PICTON: Is it not a fact that papers have been allowed to be sold on previous May Days? Did not the In-

spector push the lady back somewhat violently?

MR. ASQUITH: I have given the facts as supplied to me. With regard to the sale of papers on previous occasions I will inquire.

MR. BYLES (York, W.R., Shipley): Has the right hon. Gentleman seen the lady's statement? Is it not in direct conflict with that of the police? Will the right hon. Gentleman make inquiries as to the *bona fides* of this lady?

MR. ASQUITH: I have seen the statement, and submitted it to the police for their report. I do not see any reason for doubting the accuracy of the police statement.

#### BURIAL FEES IN WALES.

MR. HERBERT ROBERTS (Denbighshire, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that the recently appointed Rector of Llanarmon-Dyffryn-Ceiriog, Denbighshire, has declined to accept a fee of less than 10s. for conducting the Burial Service under the new Act, and has refused to agree to the customary "offering" being handed to him, varying in amount according to the means of the relatives of the deceased; whether his attention has been drawn to the proceedings of a Vestry meeting summoned in this parish on the 6th of April last, at which only five persons, exclusive of the Rector, were present, and where a resolution was passed exacting for the future the payment of a fee of 10s. and £1 for the right of placing tombstones on the graves in the churchyard, according to the size of the stones; whether such fees have, within the memory of the oldest residents, ever been demanded before; and whether such a resolution is legal and can be enforced; if not, whether he will take steps to prevent any further interference by the Rector with the rights and ancient and unbroken customs of the parishioners in regard to the churchyard referred to?

MR. ASQUITH: I conclude that the hon. Member, in referring to the "new Act," means the Burial Laws Amendment Act, 1880. That Act did not interfere with the fees for burials; and any person previously entitled by law to receive a fee is entitled, in case of a burial under the Act, to receive the like fee. But the Rector informs me that he has

Mr. Picton

not declined to accept a fee of less than 10s., or a customary offering, inasmuch as, on two occasions, no payment or offering of any kind was tendered or made to him, and on the only two other cases under the Act the usual offering was made and accepted. The Rector also informs me that at a Vestry duly convened and held on the date mentioned in the question, a resolution was come to, declaring that the Rector was entitled to a fee of £1 for every inclosed grave, with a flat stone or kerb-stone, and 10s. for every head stone, and that the size of the stones was not under discussion. The Rector further informs me that fees had, previously to such resolution, been demanded and received, but that no definite scale had been fixed. I have no jurisdiction in the matter of fees collected by incumbents for burials or gravestones; but of course, if more than what is legal is demanded, payment cannot be enforced.

#### IRISH BANKRUPTCY LAW.

MR. FIELD (Dublin, St. Patrick's) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Official Assignees of the Court of Bankruptcy, Ireland, have complied with Section 68 of "The Irish Bankrupt and Insolvent Act, 1857," which provides that on or before the 1st March in every year there shall be laid before Parliament a Return by the Official Assignees in the form contained in Schedule B; whether it is the duty of the Judges or the Chief Registrar of the Court of Bankruptcy to ascertain that the said Returns are duly lodged within the time named in said section; whether the Chief Registrar before certifying the said Returns, as required by the said section, takes any, and what, steps to satisfy himself of the accuracy of the same; and why the Returns for the year 1892 were not lodged by the Official Assignee for nearly two months after the prescribed time?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne) : With reference to the 1st and 4th paragraphs of the question, I am informed that the Return referred to has not been presented for many years back at the date mentioned. It has, however, always been presented early in the Session, and no objection has appa-

rently ever been raised as to the requirement of the section of the Act quoted not having been strictly complied with. The Return required by the section is very long and complicated, and the time limited rather short. There appears to be no statutory enactment dealing with the point raised in the 2nd paragraph of the question; but it may be assumed that the duty devolves upon the Chief Registrar. Regarding the 3rd paragraph, there do not seem to be any grounds for supposing that the Chief Registrar has neglected his duty in this respect.

#### THE SUMMER NAVAL MANŒUVRES.

MR. FIELD : I beg to ask the Secretary to the Admiralty whether it is intended to make Queenstown the headquarters of this year's Summer Naval Manœuvres; and whether it is proposed to utilise this port as a rendezvous for the Channel Squadron during next winter?

MR. E. ROBERTSON : No information can be given as to the scope or plan of the Summer Naval Manœuvres. The movements of the Channel Squadron during next winter have not yet been considered.

#### INDIAN HEMP DRUGS.

MR. CAINE (Bradford, E.) : I beg to ask the Under Secretary of State for India if he can now state who are the persons composing the Commission to inquire into the growth and sale of Indian hemp drugs in Bengal, and the terms of the Reference?

THE UNDER SECRETARY OF STATE FOR INDIA (Mr. GEORGE RUSSELL, North Beds.) : No, Sir. The information required by my hon. Friend has not yet been received from India. A telegram has, however, been sent to India on the subject, and I shall be happy to furnish my hon. Friend with the names of the members on the Ganja Commission, and with a copy of the Instructions to the Commission as soon as they are received.

#### EDINBURGH SCIENCE AND ART MUSEUM.

MR. PAUL (Edinburgh, S.) : I beg to ask the Secretary to the Treasury whether he has received any communication from the Education Department



on the claim of the clerks in the Museum of Science and Art at Edinburgh to be put on the same footing as Civil servants of the same class at South Kensington; and what steps the Treasury propose to take in the matter?

SIR J. T. HIBBERT: I am unable to trace any such application.

#### INCOME TAX DEMAND NOTES.

MR. HANBURY (Preston): I beg to ask the Chancellor of the Exchequer whether he is aware that in many country districts the demand for Income Tax, Land Tax, and Inhabited House Duty is made upon ordinary paper instead of on official forms; the amount of assessment, rate of duty, and other particulars which are provided for in the official forms being often omitted; and whether he will give instructions for the use of proper official forms in all cases in future?

SIR W. HARCOURT: The particular form of Demand Note to be used is not specified by law; but certain particulars are required to be given therein. Collectors of Taxes are mostly appointed by the General Commissioners of Income Tax. The Commissioners of Inland Revenue have no power to prescribe the special form of Demand Note to be used by such Collectors; but if a case were brought to their notice in which the form did not give the particulars which the law requires to be given, they would consider it their duty to call the General Commissioners' attention to the omission.

#### THE MAXIM GUN AND CORDITE POWDER.

MR. HANBURY: I beg to ask the Secretary of State for War whether the use of cordite in the Maxim gun has been found to injure that gun more rapidly than the powder previously in use?

\*MR. CAMPBELL-BANNERMAN: It is the case that cordite has been found to wear out the Maxim gun more rapidly than the powder previously in use.

#### THE LEE-METFORD RIFLE.

MR. WEIR: I beg to ask the Secretary of State for War whether the Lee-Metford magazine rifle, Mark No. 1, can be converted into Mark No. 2; if so, is it proposed to make this conversion,

*Mr. Paul*

and what would be the cost per rifle to do so?

\*MR. CAMPBELL-BANNERMAN: Mark 1 of the Lee-Metford rifle does not admit of conversion to Mark 2; but experience has proved that the Mark 1 rifles now in the hands of the troops and in store are thoroughly serviceable weapons.

#### THE LEGNATRAGHTA SCHOOLMASTER.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can say when the last payment of salary was made to the teacher of the Legnatraghta National School, County Cavan; has such salary been recently withheld, and why; and who is the manager of the school?

MR. J. MORLEY: I am informed by the Commissioners of National Education that the last payment by way of salary to the teacher of the school referred to was made in April, 1892, and that, serious complaints requiring investigation having been preferred against the teacher by the manager of the school, the salary has since been withheld. The manager is the Rev. Mr. Corr, P.P.

#### ALLOTMENTS IN SCOTLAND.

DR. MACGREGOR (Inverness-shire): I beg to ask the Secretary for Scotland, considering that many of the inhabitants of Portree and Newtonmore, both in Inverness-shire, have applied for allotments, and the County Council refused to put its powers into operation owing to the heavy expense necessary to compel unwilling landlords to give the land asked for, will the Government take steps to simplify and cheapen the procedure by which land may be obtained by the people on fair terms?

MR. MACFARLANE (Argyll): Will the Government support a Bill which I have introduced and which is appointed for Second Reading, the object being to make proceedings in the matter of small holdings by County Councils and other Local Authorities compulsory?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): In reply to the hon. Member, I find, on inquiry, that the County Council have resolved to put into operation the provisions of the Allotments (Scotland) Act, and have appointed members of their Finance Committee to be

the Statutory Committee to deal with all Petitions presented thereon. As regards Newtonmore, I understand that an Amendment against the Motion in favour of the Petition was carried by 18 to 13; and that as regards Portree the Council have as yet been unable to make any arrangement for the acquisition of land. I regret that in the places named by the hon. Member the County Council has not seen its way to put the Act into force. Both in Scotland and England the provision of allotments was placed under the County Council as a body representative of the people, and it would only be in case of a general failure proved by a complete experience that the Act would be modified.

**MR. MACFARLANE:** But the present Bill does not contain compulsory powers. Will the Government support the introduction of such powers?

**SIR G. TREVELYAN:** The question of introducing the compulsory principle into the Small Holdings Bill for the United Kingdom is one for the Government to decide.

**DR. MACGREGOR:** If the County Council refuses to exercise its powers, what is to be done?

**SIR G. TREVELYAN:** It was considered that when matters were placed in the hands of the County Councils the power was really given to the people. I am inclined to think that it is so.

#### THE NATIONAL GALLERY.

**MR. J. W. LOWTHER** (Cumberland, Penrith): I beg to ask the Secretary to the Treasury whether there is at the present time any picture by Albert Dürer in the Collection of the National Gallery; whether the attention of the Trustees of the National Gallery was recently called to the fact that a valuable picture by that artist was for sale in London; whether any of the Trustees inspected the picture; and, if so, which of them; whether the picture was eventually purchased by the authorities of the Berlin Museum; and how it was that the opportunity of adding such an important picture to the National Collection was allowed to pass?

**SIR J. T. HIBBERT:** The National Gallery contains no picture by Albert Dürer. A small portrait ascribed to that master was lately for sale in London, and, though not then offered to the

National Gallery, was inspected by the Earl of Carlisle (one of the Trustees) and by the Director, who is ultimately responsible for all purchases made. This picture has been very long known to the Director. But he has always considered, and still considers, the evidence in favour of its attribution to Albert Dürer insufficient. The fact of an offer for the picture having been made by the representative of the Berlin Museum was afterwards communicated to the Director. But, as he regarded the authorship of the picture as by no means a settled question, he forbore to outbid the offer already made in another quarter.

**MR. J. W. LOWTHER:** Is it the custom of the Trustees of the National Gallery themselves to inspect pictures on sale, or does the matter rest entirely in the hands of the Director?

**SIR J. T. HIBBERT:** The matter rests entirely in the hands of the Director.

#### THE METROPOLITAN MAGISTRACY.

**MR. WHITMORE** (Chelsea): I beg to ask the Secretary of State for the Home Department whether he has now come to any decision as to the action he will take with regard to the recommendation contained in the Report of the Departmental Committee on Metropolitan Police Courts, that two additional Magistrates should be appointed at once?

**MR. ASQUITH:** I am in communication with the Lords of the Treasury on the subject of this Report, upon which no final decision can be announced at present.

#### THE TRANSPORT OF INFECTIOUS DISEASE PATIENTS.

**MR. STEPHENS** (Middlesex, Hornsey): I beg to ask the President of the Local Government Board whether he is aware of the sanitary dangers arising through the transport of persons suffering from infectious disease, beyond the area of the Local Authority to which they belong into the district of another Local Authority; whether, in the case of hospitals so established at considerable distance from the homes of the infectious sick, he has power to prevent the use of public conveyances by the persons, medical or otherwise, in attendance during their journeyings to and from

such hospitals; and whether, if he has such power, he will consent to use it?

**MR. H. H. FOWLER:** Due care should, of course, be taken in the transport of persons suffering from infectious disease, in whatever district they may be. I have no authority under which I could prohibit the use of public conveyances by persons who are employed in an infectious hospital; but the managers of such an institution can make stringent regulations with a view to such precautions being taken by persons in attendance on patients before leaving the hospital as will prevent their being a source of danger to others, and such regulations have, I believe, been made by the managers of the Metropolitan Asylum District.

#### THE LEITRIM MAGISTRACY.

**MR. P. A. M'HUGH (Leitrim, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that eight months ago the Lord Chancellor of Ireland was requested, by memorial and otherwise, to appoint amongst others Mr. Patrick M'Griskin, of Kiltyclogher, to the Commission of the Peace for the County of Leitrim; has Mr. M'Griskin been appointed up to the present date; has the Lord Lieutenant of the County of Leitrim been communicated with by the Lord Chancellor of Ireland in regard to the appointment of Mr. M'Griskin, and with what result; has the Lord Chancellor considered the case of Mr. M'Griskin without regard to the opinion of the Lord Lieutenant; and how long has the Lord Chancellor been considering the application for the appointment of Mr. M'Griskin to the Commission of the Peace, and when may his Lordship be expected to arrive at a decision?

**MR. J. MORLEY:** The observations of the Lord Chancellor of Ireland on the particular case mentioned have not yet reached me. I must, however, deprecate the course of bringing the names of individual candidates for the Commission of the Peace before the House. The Lord Chancellor is bound to satisfy himself that a candidate has the requisite qualifications; and it may happen, however excellent the individual may be personally, that some essential qualification may be wanting. It would be clearly unfair to the candidate concerned

to publish his case, and I trust the House will not expect me to give detailed answers to such questions.

**MR. P. A. M'HUGH:** I desire to ask the right hon. Gentleman whether he is aware that, under the late Government, Mr. Patrick M'Griskin was offered an appointment on the Commission of the Peace on condition that he would support the Tory candidate at the General Election?

**MR. J. MORLEY:** I have no information of the kind.

**MR. P. A. M'HUGH:** As the right hon. Gentleman is unable now to answer my question, I beg to give notice that I shall repeat it on an early day.

**MR. J. MORLEY:** In case the hon. Member places such a question upon the Paper, I warn him that, unless the House considers that a question of this kind ought to be answered, I shall probably refuse to answer it.

**MR. MACARTNEY (Antrim, S.):** I beg to give notice that I shall on some future occasion ask the right hon. Gentleman whether, considering the dissatisfaction which appears to exist, he will consider the advisability of transferring the power of making such appointments from the Lord Chancellor of Ireland to the right hon. Gentleman the Chancellor of the Duchy of Lancaster?

#### LICENSED PUBLICANS AS MAGISTRATES.

**MR. P. A. M'HUGH:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Lord Chancellor of Ireland has adopted any settled and definite practice in regard to the appointment of licensed publicans in Ireland to the Commission of the Peace; and, if so, will he state to the House what the practice is?

**MR. POWELL WILLIAMS:** May such Magistrates act as Licensing Justices?

**\*MR. T. W. RUSSELL (Tyrone, S.):** Is it not the fact that persons engaged in the spirit trade, either as publicans or as wholesale dealers, are prohibited from sitting at Licensing Sessions? In case publicans are appointed without surrendering their spirit licences, will they be allowed to sit at Petty Sessions and adjudicate on cases of alleged breach of the Licensing Laws?

**MR. J. MORLEY** : I should assume not. I will ask for information on that point. The Lord Chancellor does not propose to alter the rule as to the appointment of publicans to the Commission. That has been that, as a general rule, persons holding a retail spirit licence should not be appointed; but, in a very few and exceptional cases, when, for instance, having regard to the wants of a district, there is no other Magistrate available, and a licensed house not being in the place where the Magistrate is to adjudicate, such appointments have hitherto been made, and the Lord Chancellor proposes to retain a discretion as to such exceptional cases.

#### JUSTICE OF THE PEACE RETURN.

**MR. P. A. M'HUGH** : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what Department of the Irish Government is responsible for the delay in issuing the Return (Commission of the Peace, Ireland), ordered 10th February, and can he inform the House when the Return will be issued?

**MR. J. MORLEY** : No unnecessary delay has taken, or is taking, place in the preparation of this Return, which, as I informed the hon. Member for West Kerry on the 1st instant, is a voluminous one. It cannot be furnished before a couple of months.

#### THE MIDLAND GREAT WESTERN RAILWAY COMPANY OF IRELAND.

**MR. COLLERY** (Sligo, N.) : I beg to ask the President of the Board of Trade whether he has had any communication with the Midland Great Western Railway Company of Ireland relative to a refund of the excessive charges put on by that Company in January last; whether he is aware that those charges amounted in some cases to 40 and 50 per cent. on certain goods between Dublin and Sligo; whether those rates have been voluntarily withdrawn by that Company, or whether it was owing to competition from a competing line; and if any, or all, those increased charges are still continued on goods to intermediate stations where no competition exists; and whether these charges are regulated by mileage rates, or by such as the circumstances of the case will permit them to make?

**MR. MUNDELLA** : I have communicated with the Company, but have not had time to receive their reply.

#### THE CONSTITUTION OF ALDERNEY.

**MR. LABOUCHERE** (Northampton) : I beg to ask the Secretary of State for the Home Department whether a Petition has been received from the inhabitants of Alderney, reciting various abuses that, as they allege, have arisen from the defects of their Constitution, praying Her Majesty to cause inquiry to be made into these alleged abuses with a view to remedy them, should they be proved to exist; and whether it is intended to take any action in the matter?

**MR. ASQUITH** : Yes; such a Petition has been received, and is now under the consideration of Her Majesty's Government.

#### TOTTENHAM FEVER HOSPITAL.

**MR. JAMES ROWLANDS** (Finsbury, E.) : I beg to ask the President of the Local Government Board whether he has been made aware of the anxiety amongst the working population of Tottenham at the proposal to establish a permanent fever hospital in that locality; and how soon the decision of the Local Government Board on the subject will be made known?

**MR. H. H. FOWLER** : The Report of the inquiry which was held last week has been received to-day. The decision of the Local Government Board will be given as early as possible.

#### BOYCOTTING IN NORTH CORK.

**MR. DANE** : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that a meeting was recently held in the vicinity of Ballyclogh, North Cork, to take into consideration the conduct of two families named Davidson and Connor for going into occupation of evicted farms; that in consequence these families have since been severely boycotted; and that members of these families are hooted at whenever they enter the adjacent village; and what steps, if any, have been taken to afford them protection?

**MR. FLYNN** : Before the right hon. Gentleman answers the question, I should like to ask him whether the incidents referred to did not occur in 1892, long before the meeting in question was held;

and whether one of the parties named has not been prosecuted by the police for firing a revolver, and whether a claim for malicious burning has not been preferred by these people, and for reasons best known to themselves abandoned?

MR. J. MORLEY: I am not well informed with respect to the particulars to which the hon. Member opposite refers. I am, however, aware of the disgraceful proceedings that have recently taken place at Ballyclogh with regard to the little children attending the schools, and I have expressed a very strong opinion with regard to them. I have instructed the police to closely watch the case, and to afford all necessary protection to the two families named, and proceedings will be instituted against certain persons who have been guilty of acts of violence.

#### THE CORRATAWY NATIONAL SCHOOL.

MR. DANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Miss Dolan, a teacher, was recently dismissed without any notice by the manager of the Corratawy National School, County Cavan, and was compelled to threaten legal proceedings in order to get paid the salary due to her; what is the usual and proper notice prior to the dismissal of a teacher; is he also aware that the manager in question appointed William Monagle teacher in the place of Miss Dolan, and compelled him to refund him the amount of the salary paid her; and will the Commissioners of National Education in Ireland direct the manager to recoup William Monagle the money so paid, and prevent a recurrence of such a transaction?

MR. J. MORLEY: I am informed that Miss Dolan was the teacher of the Cree National School up to the 15th October, 1889, and that she never had charge of Corratawy National School, which did not become operative till January, 1890. A few months before the manager, the Rev. Mr. Corr, P.P., closed the Cree school he notified his intention not to appoint Miss Dolan to the charge of the new Corratawy school, and explained as his reason that he desired to appoint a teacher of higher class than Miss Dolan, who was only in the third or lowest class. There is no record in the Office of the Commissioners of National

Education of the dismissal of Miss Dolan without notice by the manager, or of legal proceedings taken in the case. The usual and proper notice of dismissal of teachers by managers is one of three months; and if such notice be not given, then three months' salary must be paid, unless the summary dismissal was for misconduct or other sufficient reason. The Commissioners have no information of the alleged transaction between the manager and Mr. Monagle, the new teacher, whose appointment in succession to Miss Dolan was duly notified by the manager to the Commissioners. The Commissioners are quite ready to receive any representation which may enable them, if it be deemed necessary, to institute an inquiry into the matter.

#### WORKING MEN MAGISTRATES.

MR. SAUNDERS (Newington, Walworth): I beg to ask the Secretary of State for the Home Department if he can state the number of working men who have been appointed Magistrates in the United Kingdom since July last?

MR. ASQUITH: Thirty-six working men Justices of the Peace have been appointed in England, exclusive of Lancashire. This refers only to Borough Benches. In Scotland many working men may have been made County Justices of the Peace; but I am not in a position to give the number, having no information at hand.

MR. SAUNDERS: Then I wish to ask the right hon. Gentleman the Chancellor of the Duchy how many working men have been appointed in Lancashire since the present Government came into Office?

\*THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): The total number of working men appointed to the Borough Benches of Lancashire since (but not including) August last is 33.

MR. DARLING (Deptford): May I ask the right hon. Gentleman what is his definition of a working man upon which he has compiled his statistics?

\*MR. BRYCE: The question of the hon. and learned Member opposite is a difficult one to answer. It is not altogether easy to find a satisfactory definition. In the number I have given I have included certain persons who are in the employment of working men's Co-opera-

tive Associations, and have excluded some who, though practically representative of the working classes, have ceased to be actually working men. The very large majority of the 33 are actually working men.

**MR. STUART-WORTLEY** (Sheffield, Hallam): Is this the first occasion on which working men have been placed upon the Commission of the Peace?

**MR. BRYCE**: No, Sir; I believe not.

#### PRISON SCHOOLMASTERS.

**MR. MAC NEILL** (Donegal, S.): I beg to ask the Secretary of State for the Home Department whether he has received a great number of Petitions which have been recently forwarded to him from the warder schoolmasters in the local prison service setting forth their grievances; and whether he will receive a deputation from the warder schoolmasters of the London prisons?

**MR. ASQUITH**: I have received Petitions on the subject referred to; but I do not think it is a case in which any good purpose would be served by receiving a deputation.

#### DUTCH FRUIT BASKETS.

**MAJOR RASCH** (Essex, S.E.): I beg to ask the President of the Local Government Board whether he is aware that many thousands of Dutch fruit baskets, without a mark of origin, are delivered at the Port of London, to the prejudice of makers, chiefly of the poorer class; and whether this practice is not in contravention of the Merchandise Marks Act, Clause 5?

**MR. H. H. FOWLER**: As I understand the policy of the Act, it was intended to prevent the importation of goods bearing false trade descriptions, and purporting to be of English make. Unless, therefore, the baskets referred to bear marks which would otherwise be illegal under the Act, no mark of origin is required to satisfy the law.

#### SEED LOANS IN IRELAND.

**MR. SEXTON** (Kerry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Irish Local Government Board have considered the Resolution adopted on the 4th instant by the District Board of Guardians, protesting against the Order of the Local

Government Board impounding rates of the Union to the amount of £600, being the balance of a loan to the Guardians of the Glin Union, under "The Seed Supply Act, 1890," for the benefit of certain electoral divisions of that Union, since amalgamated with the Union of Listowel; whether it is correctly stated by the Listowel Guardians that the rate for repayment of the advance could not legally be levied with the Poor Rates for 1891 in the Glin Union, as those rates were struck before the 1st of August; whether the rate for repayment of the loan has, in fact, been levied according to law with the Poor Rates of the Listowel Union struck last August, making the balance of the first instalment legally repayable to the Local Government Board next August; and whether, if the circumstances be as stated, the Order impounding the rates will be revoked?

**MR. J. MORLEY**: The loan obtained by the Guardians of the late Glin Union, under the Seeds Act of 1890, amounted to £1,170, payable in two instalments, the first falling due on August 1, 1892, and the second on August 1, 1893. The 6th section of the Act provides that the amount due by the purchasers of seed shall be payable in two equal instalments, to be assessed along with the ordinary Poor Rate. At the first-named date no Poor Rate was made in the late Glin Union, and the first rate made after the amalgamation of that Union with the Listowel Union was in 1892, when the first assessment was made on the purchasers in the Glin Division of the Union. When the first instalment became payable by the Guardians the Irish Government, in view of the above fact, and on the recommendation of the Local Government Board, and with the consent of the Treasury, postponed the date for the payment until the 31st of last December, and the Guardians were thus afforded an opportunity of collecting the rate between August and December. The debt was not paid at the latter date, and on the 11th April the Commissioners of Public Works certified to the Local Government Board that a sum of £587 13s. 9d. remained due, and the Local Government Board issued an Order assessing the amount on the division concerned, as the money had to be paid to the Board of Works. Under all the

circumstances, I am inclined to think that a considerable indulgence was shown by the Local Government Board in postponing the issue of the impounding Order to so late a date.

#### THE NAVY VOTES.

**MR. FORWOOD** (Lancashire, Ormskirk): I beg to ask the Civil Lord of the Admiralty what was the aggregate amount of the Parliamentary Vote for new works and buildings and the sites thereof, as specified in the Navy Estimates for the years 1891-2, 1892-3, and 1893-4, the amount expended thereon in each of the financial years of 1891-2 and 1892-3, and the aggregate sum of the Re-Votes for these purposes for the years 1891-2, 1892-3, and 1893-4.

**MR. E. ROBERTSON**: The net Vote for new works and buildings and the sites thereof, exclusive of superintendence and repairs, for 1891-2, was £281,605; for 1892-3, £308,114; and for 1893-4, £234,489. The net expenditure for 1891-2 was £237,349; that estimated for 1892-3, £270,700. The Re-Votes for 1891-2, £14,900; for 1892-3, £22,100; and for 1893-4, £34,450.

#### IRISH POST OFFICE BUILDINGS.

**\*SIR J. BLUNDELL MAPLE** (Camberwell, Dulwich): I beg to ask the First Lord of the Treasury what is the estimated value of property located in Ireland (in freeholds, leaseholds, material, plant, &c.), now vested in the Post Office, which it is proposed to hand over, free of charge, to the Irish Government; and will these properties be transferred by deeds to the Irish Government, and will they have the power to sell the same without the consent of the Imperial Parliament?

**THE FIRST LORD OF THE TREASURY** (**MR. W. E. GLADSTONE**, Edinburgh, Midlothian): I cannot give any trustworthy estimate of Post Office property in Ireland which would be available under the Home Rulescheme. Such an estimate could only be obtained by making a special valuation of the property. The Government do not see the necessity for incurring the expense and time which would be necessary for making the valuation. With regard to the latter part of the question, under the Bill as it at present stands, the Irish

Government will have full powers to deal with the property for all the purposes of establishing the Post Office Service.

**\*SIR J. BLUNDELL MAPLE**: Might the value of the property in question be between £3,000,000 and £4,000,000?

**MR. W. E. GLADSTONE**: I should look upon such an estimate as entirely fabulous, though I have no means before me at present for testing its accuracy.

**MR. A. J. BALFOUR** (Manchester, E.): May I inquire whether, in view of the fact that, under the Bill, the management of the postal rates will rest with the Imperial Government, it would not be proper to leave all the plant, by which the Imperial Postal Service is carried out, in the hands of the Imperial Government?

**MR. W. E. GLADSTONE**: No, Sir. We should retain no part of the rates derived from the Postal Service in Ireland. Everything, beyond the mere fixing of the rates, will be left to the Irish Government.

#### COMPANY LAW.

**MR. THOMAS BAYLEY** (Derby, Chesterfield): I beg to ask the First Lord of the Treasury, in view of the strong remarks made by one of Her Majesty's Judges in a recent trial, if the Government will move to appoint a Committee to inquire into the working of the Limited Companies Acts, with a view of giving greater legal protection to shareholders and creditors in Limited Companies?

**MR. ADDISON** (Ashton-under-Lyne): May I ask whether the attention of the Government has been called to the fact that fraudulent Directors and promoters are not now liable to be adequately punished, and that Directors giving their names to Public Companies for reward, and then scandalously neglecting their duties, are not now liable for anything but civil action; also, whether attention has been called to the Report recently presented to the Board of Trade by the gentleman who has the superintendence of the winding up of Companies, and to the startling disclosures made as to the injury caused to the country, and especially to the trade of Lancashire, by the Rules regulating Limited Liability Companies; and, further, whether the right hon. Gentleman is aware of the strong

desire throughout the country, and particularly in Lancashire, in favour of the request put forward by the hon. Member for Derby for the appointment of a Committee to inquire into the grievances which now exist?

MR. MUNDELLA: Last week I gave a full answer to the latter question. In reply to the question on the Paper, the remarks made by the learned Judge were apparently directed to the state of both the Civil and Criminal Law. A Committee to inquire into the working of the Companies Acts could hardly deal with the latter branch of the subject; and it is not desirable to institute a general inquiry into the working of the Companies Acts until fuller experience has been gained of the effect of the very drastic provisions contained in the Act passed so recently as 1890.

#### IRISH GUARANTEED LAND STOCK.

MR. JACKSON (Leeds, N.): I beg to ask the First Lord of the Treasury whether, in view of the fact that under the Home Rule Bill the guarantees and the Guarantee Fund prescribed by the Purchase of Land (Ireland) Act will no longer exist, it is intended to make further issues of Guaranteed Land Stock under the authority of that Act after the passing of the Home Rule Bill?

MR. W. E. GLADSTONE: There is no intention to interfere in any way whatever with the working of the Land Purchase Act. All proceedings under that Act will go on as heretofore. It may be found necessary to introduce some Amendment into the Bill for enabling that object to be attained; but due notice will be given of any such Amendment.

#### + THE IRISH REPUBLICAN FLAG.

MR. DARLING: I beg to ask the First Lord of the Treasury whether his attention has been called to the report, by Dalziel's Agency on 11th May, that a number of Irishmen on board the steamer *Hazel Kirke*, hoisted on that vessel the Republican flag of Ireland—namely, a gold harp on a green ground, and that the American and German vessels in New York Harbour saluted that flag; if so, whether Her Majesty's Government intend to take any notice of the incident?

SIR E. GREY: No information on the subject has reached Her Majesty's Government, either from Her Majesty's Ambassador in the United States or from the Consul General at New York.

MR. DARLING: Has the Secretary of State for Foreign Affairs asked for any information?

SIR E. GREY: There has been no time for any written Report to reach us. It would not be right on our part to simulate the nervousness and apprehension of the hon. and learned Gentleman by telegraphing.

MR. DARLING: Will the Foreign Office, in the interests of the honour of this country, ascertain whether any such insult was or was not offered to this country?

SIR E. GREY: If the matter has assumed the importance which the hon. and learned Member appears to attach to it a Report is probably already on its way; and if we were to ask for a Report now, it would show want of confidence in the vigilance of our Representatives.

MR. DARLING: Does not the Foreign Office continually ask for Despatches from Ambassadors abroad, and is not that done without contributing to a state of nervous excitement?

SIR E. GREY: I have stated it is quite possible that a Report is on its way.

MR. A. O'CONNOR: Will the Foreign Office consult the First Commissioner of Works as to the significance of the crownless harps on green ground emblazoned round this Chamber?  
[No answer was given.]

#### THE FINANCE CLAUSES OF THE HOME RULE BILL.

MR. WILLIAM KENNY (Dublin, St. Stephen's Green): I beg to ask the First Lord of the Treasury if the Finance Clauses of the Government of Ireland Bill, the consideration of which in Committee is to be postponed, include only those numbered from 10 to 19 inclusive?

MR. W. E. GLADSTONE: I think that Clauses 21 and 22, which relate to the management of the Post Office, will be postponed with the other Financial Clauses.



## THE IRISH £20 FRANCHISE.

MR. SAUNDERS : I beg to ask the First Lord of the Treasury if sufficient Returns have been received from Ireland to enable him to form an opinion as to the number of persons in Ireland who will be qualified to vote under a £20 franchise ; and if he will inform the House ?

\*MR. W. E. GLADSTONE : The number of persons possessing the £20 franchise is a matter which can be sufficiently estimated so far as occupiers are concerned from the Return No. 104 of the present Session, which gives 162,000 of these ; deductions would have to be made for persons who are both occupiers and owners, and in respect of women occupiers. I may be asked, perhaps, what will be the estimate of owners entitled to vote under this franchise. To this I am unable at present to give an exact answer ; but the Government are trying to get a reasonably approximate estimate, which will be made known as soon as the Government receive it.

MR. W. M'LAREN (Cheshire, Crewe) : Will the Chief Secretary make the promised Return showing in parallel columns the numbers of female and male occupiers ?

MR. J. MORLEY : Since I made the promise I have found it will be very difficult to fulfil it. The authorities in Dublin are still considering it, and if it can be obtained I will give it.

## THE ATTACK ON THE REV. MR. WALSH.

SIR E. ASHMEAD - BARTLETT (Sheffield, Ecclesall) : A reply was given me by the Home Secretary on Monday last to the effect that the statement quoted from *The Times* as to the assault on the Rev. F. B. Walsh, after attending an anti-Home Rule meeting in Bermondsey, was exaggerated. I wish now to ask the Home Secretary whether his attention has been called to the following facts, which are taken from a letter written to *The Times* by the wife of the unfortunate clergyman :—

"The account of Mr. Walsh's injury was not exaggerated in the least. A stone struck his foot, and, on turning round to remonstrate, one struck the eye, cutting to the bone. Blinded with blood, he staggered to the railing, and another stone caught him at the back of the head, rendering him almost unconscious. He evidently had many blows, for he has many

bruises, but everything then was a blank. The blow on the back of the head was most serious, and he is suffering greatly from shock and nervous depression. Mr. Walsh said the street was filled with a howling mob."

MR. ASQUITH : Yes ; I adhere in every particular to my former answer, which was founded on the statement made by Mr. Walsh to the Superintendent at the time. What took place appears to have been as follows :—After the meeting broke up a noisy crowd assembled outside ; but this did not prevent Mr. Walsh from proceeding to Alscot Road on his way home. After he had proceeded half-way down the street some disorderly lads threw stones, whether at Mr. Walsh or not is uncertain ; anyhow he was hit and much hurt. The perpetrators of the outrage ran away before the police arrived ; and they could, therefore, do nothing more than assist the rev. gentleman, first to a chemist's shop, where the wound on his face was dressed, and thence to his home.

SIR E. ASHMEAD-BARTLETT : On what does the right hon. Gentleman, who expresses not the slightest sympathy with the rev. gentleman, base his statement that the report was exaggerated ? I call attention to the letter in *The Times* of to-day.

MR. ASQUITH : My statement is founded on the information given by the rev. gentleman himself. The hon. Member has spoken of a "howling mob," a description which is not borne out by the evidence of the police, or by the statement made by the rev. gentleman himself at the time.

SIR E. ASHMEAD-BARTLETT : The right hon. Gentleman seems to attribute the words "howling mob" to me. [*Cries of "Order!"*] I shall certainly move the Adjournment of the Debate if I am interrupted. The words "howling mob" were written by the wife of the rev. gentleman, and the House has a right to assume that they are used with his assent.

## RAILWAY RATES.

SIR J. WHITEHEAD (Leicester) : I wish to ask the President of the Board of Trade whether he can state definitely when his Motion for the appointment of the Committee on Railway Rates and the Reference thereto will be taken ?

**MR. MUNDELLA :** The Select Committee to be appointed to consider the subject of Railway Rates has now been arranged to the satisfaction of both sides. [Colonel HOWARD VINCENT : No.] Two Members have been added to meet wishes expressed on both sides, and in these circumstances I hope I may be allowed to move the Committee to-night. If it is not moved the responsibility will not rest with the Government, as they have done everything possible to meet the desires of hon. Gentlemen interested.

**COLONEL HOWARD VINCENT :** There is a Notice of Motion in my name. I think it is absolutely essential that the right hon. Gentleman should himself be a Member of the Committee.

**MR. MUNDELLA :** I consider that the Department is the best judge of what can be done in that respect. I should like to ask you, Mr. Speaker, whether it is in Order for the hon. Member to move me on the Committee without my consent ?

\***MR. SPEAKER :** The consent of the right hon. Gentleman must be obtained.

**COLONEL HOWARD VINCENT :** In the interests of the right hon. Gentleman's and my own constituents I hope to obtain that consent.

**MR. BARTLEY :** Are we then to understand the Committee will be moved to-night ?

**MR. MUNDELLA :** Yes.

**MR. BARTLEY :** At what hour will consideration of the Government of Ireland Bill be suspended ?

**MR. MUNDELLA :** At the usual time. The Motion will be made in the customary way after 12 o'clock.

#### THE SCOTCH SUSPENSORY BILL.

\* **MR. HOZIER (Lanarkshire, S.) :** Do the Government intend to proceed this Session with the Suspensory Bill relating to the Church of Scotland ?

**MR. W. E. GLADSTONE :** It will be inconvenient for me to give an answer with regard to the other Business of the Government until I know what time is to be occupied with the stages of the Government of Ireland Bill.

#### THE WHITSUNTIDE HOLIDAYS.

**MR. MACFARLANE :** I beg to ask the Prime Minister whether, having regard to the state of Public Business, he will consider the desirability of cur-

tailoring or entirely dispensing with the Whitsuntide Holidays ?

**MR. W. E. GLADSTONE :** There is a limit to the demands which the House should make on the physical strength of Members. Hon. Members have lately been hard pressed, and they will continue to be hard pressed ; and, therefore, I do not think the proposal the Government intend to make with regard to the holidays is unreasonable. At the same time, I admire the readiness of the hon. Gentleman to make the sacrifice which he has named.

#### THE UNFOUNDED CHARGE AGAINST AN OXFORD TUTOR.

**MR. BYLES :** I beg to ask the Home Secretary if his attention has been called to the extraordinary proceedings in connection with the arrest on imperfect evidence and without warrant of an Oxford tutor, and the failure of the police to deliver a letter which he sent to his friends ? Will the right hon. Gentleman cause inquiry to be made into the circumstances ?

**MR. ASQUITH :** I must ask for notice of that question.

#### THE DERBY DAY.

**SIR W. LAWSON (Cumberland, Cockermouth) :** On a point of Order, I wish to ask you, Mr. Speaker, whether the practice of allowing a private Member to move the Adjournment for the Derby is not one which has grown up without any regular sanction by the Rules of the House ; and whether, the Motion for such Adjournment having been defeated last year, it is still within the discretion of any private Member to bring it forward ?

\***MR. SPEAKER :** Up to the year 1878 it was the custom for the Government to make that Motion ; but it has since been in the hands of private Members, and the fact of the Motion having been rejected last year is no reason why an hon. Member should not again bring it forward. Probably in a new Parliament the hon. Gentleman thinks he will have a better chance of carrying it.

#### THE COURSE OF BUSINESS.

**MR. HENEAGE (Great Grimsby) :** The Prime Minister has informed us that Supply will be taken on the day the

House re-assembles after the Whitsun Recess. Will he state if it has been decided on the following day to resume the Committee on the Home Rule Bill and continue it day by day?

MR. W. E. GLADSTONE: Probably as to Tuesday, and with regard to a series of days forward from that time, it is the intention of the Government to proceed with the Government of Ireland Bill.

### ORDERS OF THE DAY.

#### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 12th May.*]

[SIXTH NIGHT.]

Bill considered in Committee.

(In the Committee.)

*Legislative Authority.*

Clause 2 (Powers of Irish Legislature).

Amendment proposed,

In page 1, line 14, to leave out from the beginning of the Clause to the word "there," in line 15.—(*Mr. Cavendish.*)

Question again proposed, "That the words, 'With the exceptions' stand part of the Clause."

MR. JESSE COLLINGS (Birmingham, Bordesley) said, he thought this was one of the most important Amendments they had had upon this Bill, and it was another of those tests by which they sought to ascertain the intentions of the Government. They had already heard them say that the Parliament was to be a subordinate Parliament; and when they got their answer to this Amendment they would learn further as to the quality of the Legislature which was not to be called a Parliament, but which, it appeared, was to have all the powers of a Parliament. They had spent a great deal of time in speaking—he would not call it discussion, because discussion presumed the existence of two parties; whereas, up to now, they had had arguments and inquiries on the one side, and, on the other hand, they had had nothing but lectures, platitudes, and interruptions, so that up to that moment it could not be said they had had half-an-hour's discussion on the Bill. He hoped the Government had seen they had wasted time enough over this attempt to carry out the policy which they

*Mr. Heneage*

successfully carried out in the country during the past six years—namely, to observe all the issues of this measure. ["Question!"] He expected that; but he would remind hon. Members opposite that they could no longer go on the vague phrase of "Home Rule," which might mean anything, but they now had the Bill before them; and the Amendment sought to elicit from the Government some meaning as to the measure which they had at last been obliged to discuss. Perhaps the hon. Member who called "Question!" had not yet been consulted by the Government as to the answer they should give to this Amendment, because on Friday night a Member said that hon. Members were in "a tight place!" It was the Government who were in a tight place over this Amendment and others that had been brought forward, because they were unable to give a definite answer as to whether they accepted this Amendment until they had ascertained the wishes and had obtained the views of hon. Gentlemen opposite. Hon. Members were not in any tight place, and they had a perfect right to be silent, seeing they had the Government Bench to say what they wanted said, and to do what they wanted done. There would be a considerable amount of support to this Amendment. His hon. Friend below him the Member for Sunderland (Mr. Storey) he hoped would say something on it, because, in his election addresses, the hon. Member laid down this principle in a most statesmanlike manner—he said the Home Rule he was going to affirm was that in which the Imperial Parliament delegated certain measures and subjects to the Parliament in Ireland; and all that was not so delegated in the Bill he declared should be retained for what he called "the Mother Parliament." He (Mr. Collings) thought that was a very statesmanlike statement. If he consulted the feelings of the Government Bench, he should wish his hon. Friend not to speak, because they were very uneasy under his utterances. But he had no doubt the hon. Gentleman would vindicate his position by speaking on this Amendment. Then there were a large group sitting on that (the Ministerial) side of the House who had in their addresses gone on the same lines, but very much further than his

hon. Friend the Member for Sunderland (Mr. Storey). They had been unwilling—at least, they had not expressed their willingness further than to include such measures as Gas and Water and Private Bill Legislation; and he would be curious to know what they would say to delegating from this Parliament everything, with the exception of what was held back by the Bill itself. It might be said it would be difficult to define in a Bill the measures which should be delegated to the Irish Parliament; but the same difficulty existed with regard to those measures which they kept out of the Bill, and which would produce the same amount of discussion and anxiety. In Canada everything was retained in the power of the Federal Government, except those subjects which were delegated to the Provincial Parliament. It was not only due to the Committee, but it was due to the constituencies, that they should know something more about the powers of this proposed Parliament, because the interest taken in the measure by the constituencies, now that the actual text of it was before them, was really astonishing. He should wait with anxiety to know what the Government had to say on the point, if they were allowed by hon. Members opposite to answer. Perhaps the Government would tell them frankly; but, at any rate, there were Members on the Government Bench who had spoken very much on the lines of this Amendment. He did not see his right hon. Friend the Member for East Wolverhampton (Mr. H. H. Fowler), who was equal to all and superior to a good many on the Treasury Bench in making his ideas clear and explicit, so that they could all understand them; but if that right hon. Gentleman would give them his opinion on this Amendment, and tell them why the Parliament in Ireland should not be restricted to those measures which were distinctly delegated by the Imperial Parliament, they would be very much indebted to him. At any rate, he hoped their appeals would not be treated as previous Amendments had been treated, but that they would have a discussion upon this Amendment. By discussion he meant a debate in which both sides should give their reasons and arguments, and not waste the time of the House, as

the whole Session was likely to be wasted, by a fruitless attempt to get at the mind of the Government with regard to the proposals of the Bill and their intentions regarding it.

Mr. J. CHAMBERLAIN (Birmingham, W.): I waited because I hoped some Member of the Government would tell us what is the view of the Government with regard to the very important Amendment which has been moved by my hon. Friend the Member for West Derbyshire (Mr. Victor Cavenish), in a speech which the Committee will consider was extremely excellent and well-reasoned. My hon. Friend bears a name which will always be honoured in this House, and I think it will be a pleasure to all sides that he is himself likely to add to its lustre. The Amendment itself has suffered a little, perhaps, because it is one of a series of Amendments; it is only by putting them together that the exact effect of what my hon. Friend proposes can be ascertained. However, I think it is pretty generally understood that my hon. Friend desires that in this Bill we shall specify the powers we are to give, not, as is done here, by giving up all our powers with certain exceptions, but by keeping all our powers except those we specifically delegate. I think the House will see there is a great deal of difference between the proposal of the Bill and that of the Amendment. It is not merely a matter of drafting; it is also a matter of principle. My hon. Friend said he had not thought it necessary to put on the Paper the powers which should be delegated to the Irish Legislature. The fact is, my hon. Friend is not raising that point at all, but is merely raising at the present time the question of the method. If the Government view the Amendment favourably, it would be natural that they, who must know exactly what are the powers which they desire to delegate, should put them on the Paper. If they decline to do that and wish to throw the responsibility on the Unionists, no doubt we can furnish a list of the subjects we should think it safe to entrust to an Irish authority. I imagine the list would be considered rather short and rather incomplete by the Government. The proposal of the Amendment is that the Government should state to the Committee what powers the new Parliament is to

have, and not what powers it is not to have. In the first place, I wish to point out that that course would be in accordance with all the best precedents with regard to the creation of subsidiary Legislatures. It would be in strict accordance with the precedents of the United States of America and Canada. They may not appear, on first sight, to be in accordance with precedent in the United States of America, and I must explain that the principle in all these cases has been that the power which claimed supreme authority should state definitely what portion of its power it was willing to delegate. In the case of the United States the separate States all claimed supreme and independent authority before they made the Union, and when they united they delegated to the Central Authority those powers which they did not intend to retain in their own hands. In the case of Canada the opposite course was followed. In Canada it was intended that the Dominion Parliament should be the supreme authority, and the powers reserved for the Provincial Parliaments were all specially delegated to them; whereas all the rest, unnamed or unforeseen, were retained in the hands of the Central Authority. The Dominion Act not only declared the powers to be given to the Provincial Parliaments, but also declared the powers to be reserved to the Dominion Parliament, but with a provision that that was not in any way to lessen the authority of the Dominion Parliament to deal with all such matters not specially reserved to Provincial Parliaments. Now, I would urge, in the second place, that the method which we propose is the more natural and easier way—easier to the Government, I mean, as well as to the Committee—of dealing with this subject. Let me put an illustration. Suppose a man told his friend that he was in difficulties and asked for money, would not the friend be certain to ask, in the first place, how much money was required in order to relieve the difficulties? And if he were satisfied he would advance the sum asked for. Surely he would never hand over his purse to the petitioner and say, "Keep back £5," or some other amount which he would name, "for me and take all the rest," knowing that, in doing so, he might be giving more than was asked for and more than he wanted to part with.

*Mr. J. Chamberlain*

The case now is precisely the same. This is a Bill brought in on the demand of the Irish Members. I suppose the Irish Members know exactly what they want; and I assume the Government are willing to give it. Would it not be right that we should state in the Bill what it is the Government are going to give to them, instead of leaving the matter in such a form that we may be giving to the Irish people more than they ask for and more than we want to give? In the third place, I should point out that this plan is the only way of letting the Committee and the country know what it is we are doing. I defy a layman, and I do not believe there are many lawyers who, without more consideration than they are willing to give, could say exactly what it is which, under this Bill, is being given to the Irish Parliament. We retain certain things for ourselves; but the moment you give the remainder you find heaps of things which you have not retained, and as to which it would be difficult to say beforehand whether the Government would be willing they should be handed over to the Irish Parliament. I will take two or three matters as an illustration, as showing the kind of questions that arise, and which will have to be raised by Amendments to this clause, with the probability that even after we have exhausted our ingenuity in raising Amendments on all the principal subjects that may be discussed, we may still have forgotten something which the Committee would have liked to have brought before it. Take the case of marriage and divorce. That is one of the subjects that is not named by way of exception, and, consequently, would be handed over to the Irish Parliament. I do not know what is the opinion of the Government; but I would ask them, is it their opinion—is it their intention—that the Irish Legislature should have the power of dealing with the question of civil marriages? That is an important question, and one worthy of lengthened debate. It may be the Government do not intend that a matter of this importance should be taken from the Imperial control. If so, it was an omission on their part, caused by the particular way in which they have drafted the Bill. Then there is another question. Foreign trade is not to be in

the hands of the Irish Legislature; but, as I understand it, all that concerns domestic trade will be in their hands. Is it intended they should deal with factory legislation? I do not know the intention of the Government, but would point out this will have to be seriously debated, because we have, by our own factory legislation, imposed very serious obligations in the interests of the working classes upon manufacturers and other persons engaged in industry; and if the Irish Parliament is to be permitted to relieve manufacturers in Ireland from all these conditions, of course they would be in a better position, so far as competition went, than the English manufacturers, and that might be an indirect way of giving a bounty and encouraging and stimulating Irish industry. I say, again, I am not pronouncing authoritatively on the subject; it is one of very considerable difficulty; but I say it is very much fairer and better that the Imperial Parliament should state to the Irish Legislature it is one of the subjects to go to them, instead of leaving it to be discovered by implication as we are obliged to discover it under the form of this Bill. Then there is another important question to be considered. Navigation is excluded from the control of the Irish Parliament; but does anyone know what it means? I have asked several lawyers, and they have told me that it is open to considerable doubt. It appears to be very doubtful whether merchant shipping legislation is included in the term "Navigation." Do the Government intend that the merchant shipping legislation is to be different in Ireland from what it is in this country? Is a shipowner in this country, upon whom a burden has been placed with the desire of protecting life at sea—

DR. TANNER (Cork Co., Mid) rose to Order, and asked whether the right hon. Gentleman was in Order in discussing these extraneous subjects—subjects that were not in the least connected with the clause?

THE CHAIRMAN: The right hon. Gentleman is in Order, because the Amendment raises the question of the powers to be delegated to the Irish Parliament.

MR. J. CHAMBERLAIN: I am accustomed to these interruptions; but I think that they have got rather low down. Do the Government intend that the shipowners of the country, who object to the regulations imposed upon them, should be able to transfer their ships to Irish ports in order to escape all these regulations and obligations? If so, this will raise a very serious question; and it appears to me that this is one of the questions which might easily escape the notice both of the Government and of the Committee in consequence of the form of the Bill. Coinage is also excluded from the powers of the Irish Legislature. Banking and currency are not included. Banking and coinage will raise an infinity of questions with regard to which it may be extremely doubtful whether the Irish Parliament should be in a position to pass legislation differing from the legislation of this country. I would impress upon the Committee the extreme importance of having all the powers specified which it is proposed to confer, in order that Parliament may not, by inadvertence, find that it has conferred some power which Ireland does not desire, and which it might be inconvenient that it should possess. Under the proposal of my hon. Friend, mistakes, which must be made in forming a new Constitution, were much more easily corrected than they would be under the Bill; because nothing would be easier, if certain powers are granted, and it is found hereafter that something has been omitted which it is desirable to add, than to bring in a Bill making the necessary addition. On the other hand, if Parliament grants more than is wished, or more than is or has been asked for, nothing will be more difficult than to withdraw the power already granted. Under the proposal of my hon. Friend, also, it would be much more easy to treat this question as an experiment. I do not suppose that the Prime Minister is under the belief that he is making a final settlement of the Irish Question. Every reasonable man believes that even if the Bill passes as it stands now it would not be accepted as final by either the Irish Members or the Irish people; and certainly it would not be accepted by the Irish Members and their constituents of the future. The Bill, therefore, must be

in the nature of an experiment. If the proposal of my hon. Friend were adopted, it would be open to the Committee to treat the Bill as an experiment, in which case the Committee might think it wise to be very moderate in the concession of the powers to be made, retaining always in the hands of the Imperial Parliament the power of adding more hereafter and averting any mistake now of attempting to secure anything in the nature of a final settlement even by the largest concessions. The question of supremacy is connected particularly with this clause; but the very idea of supremacy goes to the wall if Parliament hands over to another Legislative Authority all the powers which are not expressly reserved. The Supreme Authority always delegates and defines its delegated powers, reserving to itself all the other powers which it does not specifically give away. If the Government refuse this Amendment it will confirm the impression which we have derived from their attitude towards previous Amendments—that, although they are willing to establish what has been described as a paper supremacy, they have no idea in their own minds of creating a real, vital, and satisfactory supremacy. The Prime Minister will no doubt remember that this was one of the points raised early in the discussions of the Bill of 1886 by the present Duke of Devonshire—then Lord Hartington—and as being one of the conditions which were preliminary even to the consideration of the question of establishing a new Legislative Authority in Ireland. Speaking from memory, I think the right hon. Gentleman (Mr. Gladstone) expressed a willingness to give the proposal of that time, now embodied in this Amendment, his favourable consideration if it ever came formally before him. I hope, therefore, that he will give every consideration to the terms of this Amendment.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): There is one satisfactory subject in connection with this Amendment, and that is the manner in which it has been presented to the Committee. I join with my right hon. Friend (Mr. J. Chamberlain) in bearing testimony to the excellent performance of the Mover of it, and in expressing the hope that may

be entertained of the hon. Gentleman's future. I cannot, however, say as much with regard to the beginning of the Debate this afternoon. The right hon. Member for West Birmingham began his speech by saying that the result of the speech of the right hon. Member for the Bordesley Division (Mr. Jesse Collings) must have been to draw a reply from the Government. I have never in all my life heard a speech which appeared to me to less need a reply. I am surprised that the right hon. Member for West Birmingham has been under any difficulty or doubt as to the mode in which the Government must deal with a question of this kind. It is a misfortune of the Amendment that it does not contain any decisive words. As far as the mere verbal effect of the Amendment is concerned, it looks more like an enlargement of the powers of the Irish Government than their contraction; and it will, therefore, be understood that, though I am not making any objection to the Amendment verbally, yet I object to its obvious and recognised meaning. I do not think that it is a good Amendment verbally considered, because, considering the nature of the reservations which the Government introduce in a subsequent clause, it is right and even needful that there should be a reference to those reservations in the present clause, where they are conferring the main legislative power. There are two methods in considering this question which may be adopted, and which have been fairly stated by the right hon. Member for West Birmingham. You may grant by the enumeration of that which is granted, or you may grant by the enumeration of what is not granted. That is really the point at issue. It is quite true that there is one method of dealing with the question which the Government have treated as a matter of drafting, and that is the method by which we have gone through the particular subjects of local government in Ireland winding up the catalogue with a covering clause; but that is not a method of proceeding which need, in any degree, narrow the distance between the Government and their opponents. Therefore, I put it aside. The Government have considered it largely, and their conclusion is that it is not attended with any recommendation of convenience or policy to

counterbalance the considerable complication which it would tend to introduce into the provisions of the Bill. What is the meaning and essence of this Bill? It is a Bill to constitute a Legislature in Ireland for the purpose of dealing, I may say, with all properly Irish concerns which are not Imperial concerns, subject, possibly, to some limited reservation like the limited reservation the Government have inserted in the Bill with respect to land; but, speaking generally, it must be well understood that the Government divide the subjects of government as between Ireland and Great Britain into two classes—one, those which are of common Imperial interest; the other, those which are of local interest, or are domestic matters belonging to Ireland. Our object is to reserve, as strictly as it is possible to do so, to the Imperial Parliament the subjects which are of Imperial concern. We have laboured to make enumeration as full as we can make it according to our reflections and inquiries. We do not say that it is complete. It is possible we may not have included in it something that ought to have been included; but that is a detail, and the line can be drawn in particular cases when they arise. But with regard to those matters which are Irish, domestic and local, we do not intend to proceed by giving a subject here and a subject there, and keeping back every other matter to be met by a covering clause. That would be totally contrary to our intention, to the distinct meaning of the Bill, to everything that has been done in all prior legislation of a developing kind, and to the policy and expediency of the case. My right hon. Friend has said that the Bill is in the nature of an experiment, and that the course he advocates would make the experiment more easy. But if the Government accept the Amendment and the consequent Amendments, will my right hon. Friend accept the Bill?

MR. J. CHAMBERLAIN: Certainly not.

MR. W. E. GLADSTONE: Just so. I might best describe my right hon. Friend's attitude by a homely phrase which undoubtedly requires an apology, which is, that he intends to deal with the Government on the principle of "Heads I win, tails you lose." In the arrangements of the Bill we are to enter upon a new and complicated investiga-

tion; and when you have completed it within this year, or within some future years, you are to wind up—

MR. J. CHAMBERLAIN: Surely my right hon. Friend does not contend that it is not competent for us to try and amend this Bill unless we are prepared to accept it?

MR. W. E. GLADSTONE: No; that is not my contention. I am merely unveiling a state of facts. When my right hon. Friend used this honeyed language as to the blessings and benefits of this experimental form, some soft-minded man might think that he was relenting a little in this matter, and that he was ready, in conformity with the precedents in former years, to proceed on the principle of the delegation of certain subjects to an Irish Legislature. There might be some reason in giving way, if we had it authentically that by doing so we could conciliate our opponents without endangering the vital essence of our measure; but as it is, the case is this: We are to undergo the very considerable labour of re-construction, and we are to have our return not is £ s. d., but in nought, nought, nought. My right hon. Friend has raised a number of questions, most of them of vast importance, in order to terrify the Committee; but there is not the smallest doubt of the intention of the Government, which is to reserve effectively, simply, and largely all that can fairly be called Imperial matters, and to give as effectively, as simply, and as largely all that can fairly be called Irish and local matters. My right hon. Friend has enumerated a number of questions. He asks, "Do we hand over the Marriage Law?" Yes, we do; why should we not? Ireland has got a different Marriage Law now from the English law. Why in the world, therefore, are we to convert this Bill into a restricting instead of an enlarging Bill, and to take away from Ireland that distinction in the Marriage Law which she now enjoys and largely prizes?

MR. J. CHAMBERLAIN: I never suggested it.

MR. W. E. GLADSTONE: I thought my right hon. Friend did. Someone suggested it. I am aware that there are no Divorce Laws in Ireland. That is a very great distinction in the Marriage Laws in Ireland; and if I am rightly



informed, it is one that Ireland highly prizes, and in that I think Ireland is right. As to factory legislation, if the Irish people suffer by it, they will suffer at the hands of men whom they will have chosen to govern them. It is purely a matter of local interest and concern of which the Irish Representatives are best qualified to judge. In such a matter they have every title to judge, and they will need no instruction from England as to the principles of humanity and of the best policy. As to the currency, I am not quite sure whether the language of the Bill as it stands is the best adapted to its purpose; but the intention of the Government is plain: They consider that the standard of value is an Imperial matter, and that that standard of value, and everything touching it, should be reserved. If proposals are to be adopted for introducing a double standard, that will have to be decided in this House. If Ireland were to give power to issue promissory notes, that would be a matter of currency; and would be within the powers of the Irish Legislature under this Bill. But if she were to say that those notes should be legal tender for debt, that, I think, would immediately be a part of the standard of value. Speaking largely and generally, the Government propose to resist as incompatible any limits being imposed on the local Irish concerns, which are to be handed over to be dealt with by the Irish Parliament. The Irish people, according to the right hon. Gentleman the Member for West Birmingham, are to be treated as little children. A child would be given some pocket money, but a very limited amount. Great Britain is to stand *in loco parentis* to the Irish people; but the Irish would regard the assumption of that attitude with very considerable misgiving, considering what has been the history of Ireland for 700 years. The affection which England has shown to Ireland during that period does not justify proceeding on the parental basis. The difference between the position of the Government and that of the right hon. Gentleman is this: The great measure under consideration has in it something of an experiment, for we have no absolute certainty as to the future. But the right hon. Gentleman recommends one form of experiment, and the Government recom-

mends another. The Government method is to concede local affairs and to retain Imperial affairs, and that is the often-tested and always successful plan on which Parliament has proceeded in all its legislation up to the present time. That experience supplies guidance in the present case. But the experiment of the right hon. Gentleman is wholly novel, and one upon which no light is cast by experience in any quarter. It would be at once rejected by those who spoke in the name of the Irish people. The Government desire to avail themselves of all the guidance to be derived from practical results, and these are largely available. Another reason for reserving Imperial subjects nominated, and for granting local subjects not nominated, is that the subjects of common interest between England and Ireland, though of vital importance, could be brought into a very narrow compass. But the great bulk of the business of Government is local and domestic, and this domestic part of the business of Government is continually extending. There are a multitude of subjects now regarded as proper and ordinary matters for the cognisance of Parliament which, when I began Parliamentary life, Parliament would have utterly declined to recognise. The right hon. Gentleman knows as well as I do that not a single man representing the Nationalists of Ireland would travel with him a single inch on the road he pointed out. That form of legislation would attain none of the objects desired on one side of the House or the other. The proper and only method is to reserve Imperial subjects, for two reasons: First, because it is a task which can easily be performed, and which has been performed in the main. If any defect in the enumeration be found later, it can easily be remedied; secondly, because it is impossible to enumerate local subjects. When Ireland proceeds to deal with her local affairs, it is almost a moral certainty that subjects will come up which, in a process of previous enumeration, will never have come into one's mind. The result will be that Ireland will come to the House of Commons to ask for further legislation. Every practical object is in favour of the Government plan. But, over and above all these practical objects, is the great question of principle. What Ireland asks is

the restoration or concession to her of the power of dealing with her own local Irish concerns. If that be not given to her, it would be better to give her nothing. Anything else would be a miserable mockery, and a great descent from the lofty elevation at which British legislation has hitherto been conducted. The right hon. Gentleman has referred to the United States. He said that there the States are the supreme power, and that that power limits the subjects which are given to the control of the Federal Government. That is so, but the reason they are limited is that they are few and very easily to be described. There can be no doubt that in the United States a condition of things obtains which does not obtain here. In the innumerable—the multitude—of cases that might be cited, where is one favourable to the right hon. Gentleman's view? Canada affords no example of the relations between a subordinate and a supreme Legislature. One view is that the purposes of local government ought to be left free and open within the proper sphere. The Government desire to do everything to preserve the supremacy of the Imperial Parliament; but it will not be a supremacy which will satisfy the right hon. Gentleman, because the right hon. Gentleman will not admit to be a real supremacy anything but a supremacy which would irritate and reduce Irish affairs to a still more obnoxious position than they occupy at present. But with regard to the assertion of the principle of supremacy, the Government desire to keep it in its absolute fulness—subject to no limitation, except the geographical limitation. They desire to be faithful to their pledges in regard to it; but they desire to be equally faithful in their pledges with regard to the effective grant to Ireland of local government and local administration.

\*MR. H. MATTHEWS (Birmingham, E.): In the course of the speech which he has just delivered, the Prime Minister said to the right hon. Gentleman the Member for West Birmingham, "If we accept this Amendment, will you accept the rest of the Bill?" That is hardly a fair question. The Opposition are surely entitled to ask the Government to accept an Amendment without being thereby bound to accept the rest of the Bill.

The speech of the Prime Minister must make it clear to everyone that what Parliament is asked to create is not a subordinate Parliament at all. It is quite true that the right hon. Gentleman has said that the Irish Legislature is to be subordinate to the Imperial Parliament; but, at the same time, the right hon. Gentleman has stoutly resisted the insertion of the word "subordinate" in the 1st clause. If the right hon. Gentleman desired to set up a sovereign and supreme Parliament in Ireland, he could not have employed more apt words for the purpose than are to be found in this Bill as it stands. The right hon. Gentleman has referred to the case of Canada. I am quite aware that in the case of Canada a supremacy has been reserved to the Imperial Parliament, but that supremacy is a purely nominal one, and has no practical effect whatever. Is that the sort of supremacy of the Imperial Parliament which hon. Members opposite intend to reserve in the case of the Irish Legislature? I am not aware of any instance in which this House has interfered with the internal affairs of the Colonies after the grant of Representative Government has been made to them. The right hon. Gentleman the Prime Minister appears to have a confused notion with regard to the affairs which an Irish Legislature should have control over, and those which it should not have power to deal with. For instance, the right hon. Gentleman says that only Imperial affairs and matters of common interest are withdrawn from the control of the Irish Legislature. But, at the same time, the Irish Legislature is not to have control of even denominational education, which would appear to be a matter of local interest, while it is to have control over the law of marriage and divorce. Surely it is a matter of common interest to the two countries that the law relating to marriage and divorce should be the same in both. If a man were held to be married in England and not married in Ireland, and if his issue were legitimate in this country and illegitimate in Ireland, and could not, therefore, inherit property in Ireland, how inconvenient it would be! It may be said that there is at present a considerable difference between Scotch law and the English law upon this

subject, but that is no reason why a third law should be established. Is the Irish Legislature to have power to deal with the Merchant Shipping Act, with the law relating to bankruptcy and insolvency? and will it be empowered to authorise the issue of a paper currency which is not to be a legal tender, and which will have no reserve of bullion behind it? Surely all these are subjects of common interest; and yet the Irish Legislature, as we have gathered from the speech of the right hon. Gentleman the Prime Minister, is to have power to deal with them. And, moreover, over these questions, which may be determined so disastrously for the two countries, the Ulster Representatives will have practically no control. Again, there is the subject of the Criminal Law. Surely it is of the first importance that the Criminal Law of the two countries should be identical—surely it is a question of common interest? Are we not entitled to ask the House to introduce safer provisions than are given at the present time? Suppose it were proposed to set up a different Criminal Law as to murder from that which prevails now—

THE CHIEF SECRETARY FOR IRELAND (Mr. JOHN MORLEY, Newcastle-upon-Tyne): There is a different Criminal Law at present in Scotland.

\*MR. H. MATTHEWS: The right hon. Gentleman the Chief Secretary says there is a different law at present in Scotland. I am sorry to say that is so; but that difference, which we have inherited, is no reason why we should set up differences in Ireland. A difference of any kind is to be deplored. But in regard to any future changes in the law—the Criminal Law—do the Members of the Government and the gentlemen supporting them ever intend that a supremacy should be exercised? Do they intend that this Legislature shall be no more a subordinate Legislature than in Canada, or will they tell us how, or under what circumstances, you intend to exercise a supremacy? I ask hon. Gentlemen do they intend never to exercise that supremacy? Do they mean the Irish Legislature to be a Colonial Legislature? If so, this mode of dealing with the question is the right one to adopt. But if they mean to create a subordinate Legislature, it is clear that the only logical—sensible—mode is to

enumerate those subjects which you delegate. Even in the case of the Colonies the rule has not been quite universal. For instance, in the case of New Zealand you gave a Legislature with power to make laws for the peace, order, and good government of New Zealand, provided that such laws were not repugnant to the laws of England.

MR. W. E. GLADSTONE: Hear, hear!

MR. H. MATTHEWS: There is no clause here to that effect.

MR. W. E. GLADSTONE: Look at Clause 33.

\*MR. H. MATTHEWS: That is a clause which undoubtedly enables the Imperial Legislature to pass an Act "expressly extended to Ireland"—whatever those words may mean—and Irish Acts will be valid so far as they are not inconsistent with that Act. That is what Clause 33 says in singularly inflated language. But that section does not prevent the Irish Legislature from creating a totally different system of laws from those prevailing on this side of St. George's Channel. Under the Bill the Irish Legislature will be perfectly free to legislate as it thinks proper. The right hon. Gentleman will probably say that if there is inconsistency between the Acts of the two Parliaments it shall be the Imperial law that shall prevail. That is true in theory as it is in the case of the Colonies. But when you have given powers so wide as these to the Irish Legislature you will never be able to defend your action if you endeavour to interfere in Ireland. The only way to preserve to yourselves any practical control and right of interference is to part wholly with those subjects on which you do not wish to interfere, and to reserve all those subjects on which you are likely to desire to interfere. Take the Criminal Law, for instance. It would be a great misfortune if that were to become different in the two countries. Is the penalty of death to remain in one and to be done away with in the other? The truth is, that the more light that is thrown on this subject the more plainly it appears that unless some of these Amendments are accepted by the Government the Legislature you are creating is not a subordinate Legislature. The Irish Judges will construe any two

*Mr. H. Matthews*

Acts which may happen to clash in favour of the Irish Parliament, and will give—and rightly give—a wide and sweeping interpretation to the 2nd clause of the Bill which will practically exclude British control. The presumption will always be in favour of the Irish enactment—and ought to be. It will be held that the Irish Parliament is vested with the widest and most ample powers to say what shall be the law on all subjects that the Legislature can touch at all. Every conceivable subject that can be made a matter of law, with the exception of Clauses 3 and 4, is committed to the Irish Parliament; and in the case of a conflict, as I say, the balance will always incline towards the vast powers of this clause. With that regard for popular Institutions and Assemblies which this House has always exhibited you will not be able to interfere. That would appear to be the clear result of the 2nd clause as it stands now; therefore, for my part, I shall vote for the Amendment.

MR. HALDANE (Haddington) said, the right hon. Gentleman who had just sat down had made a most remarkable speech, and had told them a number of things which, speaking for himself, he did not know before. The right hon. Gentleman had said that in some instances laws which were valid in Scotland were void in England. That was obviously a mistake. He had told them that the Colonial Legislatures were Sovereign Legislatures—oblivious, apparently, of the fact that in earlier days there were a large number of Acts passed by this very Parliament interfering in specific matters that were within the competence of the Colonial Legislatures. But the most extraordinary of all the right hon. Gentleman's extraordinary statements was the one which he put forward, in conjunction with the right hon. Gentleman the Member for West Birmingham, to the effect that all the precedents made in favour of delegation of authority, with the exception of the doubtful case of Canada, were to be found in cases of subordinate Constitutions, and that there were none in favour of the method adopted by the Government. There was not a single precedent in favour of delegation; but in every instance that could be brought forward the precedent was completely and conclusively in favour of the method adopted in this Bill. In the

United States there was called into existence—not a subordinate Legislature, not a Provincial Parliament, not an ordinary Legislature of Home Rule—but a life of the nation, a supreme Sovereign Authority which, by its constitution, was Federal in its nature, spreading itself and distributing itself between various co-ordinate parts. That was not a Legislature in point. Then let them come to nearer illustrations. In the case of Canada, the Australasian Colonies, the Cape of Good Hope, and our Crown Colonies, we had granted powers not specifically, not enumerating them, but according to the stock and well-established form which was the legal formula expressing Home Rule. What was that formula? It was the power of making laws "for the peace, order, and good government" of the country upon whom the Legislature was conferred. That formula was adopted in the case of Canada; and it was a mistake to say—as the right hon. Gentleman the Member for West Birmingham had said—that an analogy in the case of Canada was to be found in the distribution of legislative powers between the Dominion Parliament and the Provincial Parliaments. It was to be found in the grant of Home Rule to Canada in the delegation by the Sovereign Parliament in 1867—in the 97th section of the British North America Act of 1867. By that Act they gave powers in general terms, as they were given them by this Bill; and they made reservations as they did in the present case, with this difference: that in the case of Canada the reservation was made in favour of the Provincial Parliament, while here it was in favour of the Imperial Parliament. The right hon. Gentleman the Member for West Birmingham spoke of this system of delegation of specific powers as if it were Home Rule, and as though he were accommodating himself in some way to the desire which was being expressed by those who, with the Government, were in favour of a system of Home Rule for Ireland. That reminded him of the set-off in the historic days of the Round Table. The right hon. Gentleman said, in effect, that the Unionists did not bring forward these Amendments and make these speeches because of enmity to the objects of the Government, but because they wanted to put the Bill into a definite shape. The real object of

the Government was not to assist the Government, but to destroy the Bill. They were giving to the Irish people, under this Bill, a restricted form of government, with great safeguards, greater than they had reserved in the case of any of their Colonies. They were giving powers to make laws for the peace, order, and good government of the country. It was not desirable to restrict those powers and to have constant friction between the two countries, and constant questions arising as to whether a particular question came within one form of specific delegation or another form of specific reservation. Did the right hon. Gentleman know the amount of friction which had taken place between the Dominion Parliament in Canada and the Provincial Parliaments? Did he know that almost constantly questions which had caused the greatest friction and bitterness came before the Privy Council in consequence of the obscurity of the form of delegation? And did he know that the consequence of the system there was that they had the Dominion Government making one set of laws for, say, Ontario, and the Ontario Legislature making an exactly similar set of laws for itself? It was not difficult to show that there was no precedent whatever in favour of the course which the right hon. Gentleman the Member for West Birmingham proposed, while every precedent supported the course which the Government wished to follow. It was impossible to state what the Irish would want, because they could not define the whole range of questions which must be discussed by an Irish Parliament. The right hon. Gentleman who had last spoken had said they were going to allow the Irish Parliament to make Marriage Laws, and that the result of that would be that they would put the Irish Parliament in the position of being able to annul marriages which had been legitimately contracted. But there was absolutely nothing in this statement. No doubt, any law the Irish Parliament might make would affect persons domiciled in Ireland; but it would not touch persons domiciled on the other side of St. George's Channel; and if it did, the case would be a proper one for the exercise of the veto. In the exercise of the veto in such a case, we should only be following the precedent of what had been done in the case of the

*Mr. Haldane*

Australian Colonies. It was said in support of these Amendments that if they were adopted the Imperial Parliament would be in a better position to interfere if it wished to show that its supremacy was a real one. The reasons advanced by the supporters of the Amendment seemed to him to disclose what lay behind all their arguments touching supremacy. It was evident that what they were aiming at was to so mould the Bill and introduce words into it to alter its form as to render it possible to say, "In passing this Bill, Parliament declared by implication, if not in terms, for the policy of allowing the Imperial Parliament to interfere at every turn to overhaul the work of the Irish Parliament." He trusted that in the course of the Debates on the Bill the Government would not show any weakness—he did not believe they would on this point—but would reject every Amendment, and that, while maintaining intact the supremacy of the Imperial Parliament, they would make it plain that they meant to give Ireland Home Rule in substance, and not merely in form or theory. They should make it clear that what they meant to do was to give the Irish Parliament the power of managing its own affairs, and that by rejecting this plan of specific delegation and everything else of a similar nature they would make it plain to the Irish people that what they were endeavouring to pass was a real Home Rule Bill and not a sham one.

Mr. RENTOUL (Down, E.) said, the hon. and learned Gentleman who had just sat down hoped the Government would reject all Amendments. ["No, no!"] Yes; he had taken down the hon. and learned Gentleman's words. He had said—"I trust they will reject everything." ["No, no!"] Hon. Members said "No, no!" but the hon. and learned Gentleman to whom he referred did not interfere in the matter.

Mr. HALDANE said, he never for a moment had suggested such a thing.

Mr. RENTOUL said, the matter was before the House. He had taken down the hon. and learned Member's words. Of course, if he did not mean them it was another matter. Those who desired that the Government should not concede anything were very likely to have that desire gratified, judging from what had taken place since they had got into Com-

mittee, because hitherto everything that had been moved by the Unionist Party had been rejected. The hon. and learned Gentleman, in the larger part of his speech, dealt with historic analogy; but the Ulster Unionist Members agreed with the hon. Member for North Armagh, and were of opinion that no historic analogies touched this question in the smallest degree. They desired rather to look at the question as a plain, practical matter, affecting those residing in Ulster in their business and general home relations. Therefore, they thought that references to countries thousands of miles away had no reference to the question at issue. The speech of the Prime Minister differed, in their opinion, extremely from the speech which he delivered on Thursday evening, because they were then unable—and possibly it was their own fault—to understand that he gave any information in answer to the inquiries of the right hon. Gentleman the Member for West Birmingham; and he could not help thinking that it was the duty of the right hon. Gentleman, as Prime Minister, to come down to the low level of their capacities, and make them understand the answer he had given. But they could not make that complaint that afternoon, because the Prime Minister had been perfectly clear in the statements he made. The one, great, central illustration to which the hon. Gentleman referred again and again, and which appeared to be the substance of his speech about treating the Irish people as children—giving them some pocket money and saying that, if they used it well, they should have some more—absolutely failed. The right hon. Gentleman the Prime Minister again and again spoke of Ireland. But there was just one difficulty that arose. The majority in Ireland undoubtedly had the larger number of votes; but the minority had the larger amount of property; therefore, when the Prime Minister talked of giving pocket money to the Irish majority, the analogy failed altogether. It was not a case of giving pocket money to a child to see how the child would spend it. It was a case of appointing trustees or managers over the affairs and properties of other people. The majority in an Irish Parliament would be the managers of the wealth of the minority; and, therefore, it was no insight to the majority of the Irish people

to say—"We will give you small powers at first to see how you will exercise them." Surely there could be nothing wrong in stating what were the subjects to be left to the Irish Parliament; and if the Unionist minority were to be treated fairly, it was only common justice to tell them what were the powers which the Irish Parliament was to exercise over them and their property. "But," said the Prime Minister, "this is only a detail." Well, it appeared to him (Mr. Rentoul) that if there was one thing which was not a detail it was just that particular thing. The exceptions should be extended to such an extent as to make the Bill valueless to Irish Home Rulers altogether. The Prime Minister said that the principle was that they should give the Irish Parliament control over Irish subjects and withhold from it control over Imperial subjects. But in 1886 the right hon. Gentleman said it was impossible to make a distinction between local and Imperial subjects; and that difficulty certainly remained at the present time. The right hon. Gentleman said he would unveil the position of the right hon. Gentleman the Member for West Birmingham. He said to the right hon. Gentleman—"Will you accept the Bill if we accept this Amendment?" The right hon. Gentleman the Member for West Birmingham naturally said "No." "Then," said the Prime Minister, "we have the matter clearly before us. We offer you a Bill; you offer us an Amendment; but if we accept it, you have no intention whatever of accepting the Bill." But this was not the case of a Bill being offered for the acceptance of the Irish minority; it was a Bill thrust upon them by a majority gained by refusing to let the constituencies know what the Bill was going to be. It was on that account that they said that the Government were acting in a tyrannical manner in regard to the Bill. The Government obtained a majority over the Opposition, the validity of which the Opposition disputed, because they said that the mind of the people of the United Kingdom had not been taken, and the question was not fairly before them. That being so, the Prime Minister brought in a Bill and said, "You must pass that." The Opposition put forward Amendments frankly, and said they objected to the Bill

entirely ; but because they brought forward Amendments was it unreasonable that they should seek to amend it, so that if they were compelled to accept it it might be brought as near their views as possible ? Would the Prime Minister wish them to offer no opposition to the Bill at all in Committee ?

MR. LABOUCHERE : Yes.

MR. RENTOUL said that a large number of the Irish Unionist Members had intended to take up the line of saying that, because they objected to the Bill *in toto*, they would take no part in the discussion ; but, wiser counsels prevailing, that policy was not adopted. Their position had been stated on hundreds of platforms, and it was that unless the Army interfered they would not accept the Bill.

MR. HUNTER (Aberdeen, N.) asked whether the hon. Member was in Order in the observations he was making ?

\*THE CHAIRMAN said, the hon. Member was irregular, as he was not confining himself to the Amendment before the Committee.

MR. RENTOUL said, his point was that the Prime Minister had said that the Government had pulled aside the veil of the Opposition, but he (Mr. Rentoul) was showing that they had no veil to pull aside. The right hon. Gentleman the Member for West Birmingham had remarked upon the unbusinesslike way in which the question was put in the Bill. He had used the illustration of a man coming to ask you for a sum of money, and your offering him your entire purse with the request that he should hand back what he did not want. It was a very common thing for a husband to settle something on his wife ; but it would be an extraordinary thing for a man making such a settlement to say, " Take all my property, but reserve a little for me." Yet something very like that was done in this Bill. All the powers of the Imperial Parliament were to be settled on the Irish Parliament, and then in the 3rd clause certain powers were reserved to the Imperial Parliament. As to giving a man your money on the understanding that he was to give you back what you did not want, he had known that course to be followed in the case of a certain Home Rule Member, and, in the end, not one penny was returned. That would be

*Mr. Rentoul*

the experience of the Imperial Parliament if the Bill were accepted. Was it unreasonable that the Ulster Members should want to know exactly what powers were to be given to the Parliament that would be over them ? The Irish Parliament would consist of a majority of Home Rulers and a Loyalist minority. Therefore, was there anything unfair in the minority wishing to know the best and the worst at once ? If they did, they might perhaps be less reluctant to accept the Bill than they were. Many hon. Members had spoken on this question from every possible point of view. [*Ministerial cheers.*] Yes, from the point of view of the entire and absolute freedom of the Irish Parliament, and the point of view of the Irish Parliament having such-and-such powers. Looking at the absolute statement of the Home Secretary the other night as to the extent of the power of the Irish Parliament, was there anything unreasonable in asking the Government to accept the Amendment—in asking that they should give the information sought ? If that was given, then compel them, if necessary, to accept this Parliament. At any rate, let the Government tell them what the powers of this Parliament were to be in order that they might see how they stood. It was on that ground that he desired most earnestly that the Government should see their way to accept this arrangement, and see whether a policy of conciliation from any point of view would not have some effect. They might find the Ulster Members more approachable than they thought. They, at any rate, wished the Government to treat them as men who were willing to talk on this subject. [*Ministerial cheers.*] Exactly. When he said that he meant what he said. He had already said it was a question with the Ulster Members whether they should touch the Bill and debate it at all ; but now they had consented to debate it with the limited powers at their disposal. They treated the Government as fairly as they could. They told them what their objections were, and then voted against the Bill in the frankest manner.

\*MR. T. W. RUSSELL (Tyrone, S.) said, there was one speech he could not understand — namely, that of the hon. and learned Member for Haddington (Mr. Haldane). He said

that the Canadian analogy was no analogy at all. That, he confessed, went a good deal further than the Prime Minister's speech. The Prime Minister had not denied the Canadian analogy. If the hon. and learned Member had been in his place, he (Mr. Russell) would have asked him what Sections 91 and 92 of the British North America Act really meant if they did not constitute an analogy for the Irish case. Why, in Section 92 of the British North America Act the work of the Provincial Legislatures was set out and the subjects enumerated. Beyond those subjects they could not go; and if they went beyond them, the Supreme Court of Canada would declare the Acts to be un-Constitutional. So far as an analogy could be perfect, this analogy was perfect. It was impossible to say that delegation could not be carried out; for in Canada, ever since 1867, it had been the law, and no very great difficulties had arisen under it. There was one practical argument in favour of delegation and against reservation. Under Section 4 of the Bill the Irish Legislature was forbidden to endow religion; but the question might arise, what constituted the endowment of religion. It might be found, for example, that the endowment of religion was effected through education. But if the principle of delegation were adopted, it would be impossible for any such question to arise. The powers of the Legislature would be clearly set forth in the Bill itself, so that those who ran could read. Under the system of reservation all kinds of difficulties would arise which, under the principle of delegation, they would be free from. What was the real argument against this principle? One argument used by the Prime Minister seemed to preclude all debate on the matter. The right hon. Gentleman stated with the greatest clearness that the Irish Members would not go one inch of the way with the Government if they adopted the plan of delegation. That was the effective argument on the Ministerial side of the House.

An hon. MEMBER : Quite right, too.

\*MR. T. W. RUSSELL : "Quite right, too!"—that was a nice confession for a Liberal to make. He had always thought there was a British view of the question as well as an Irish one, and

that Irishmen must not ask more than Great Britain would concede. But if the method proposed in the Bill were adopted, for the reason given by the Prime Minister that the Irish Members would not move one step of the way if delegation were attempted, then the Irish Members were the real Leaders of the Liberal Party, though they did not sit on the Treasury Bench. These were the men who dictated to the Government what they should vote for, and what they should not vote for. That was a fine position for the great Liberal Party—that they should be mere hewers of wood and drawers of waters for the Irish Nationalists! He was not very much concerned one way or another with regard to the Amendment, and he would tell the Committee why. He thought delegation the better plan of the two. He did not see, for instance, why the question of regulating the public-house system should not be delegated to a Body in Ireland. He did not see why the English people should decide how many public-houses there were to be in Ireland, and what hours they should remain open. This subject was pre-eminently a matter for the people of Ireland, and the people of Ireland alone; and, therefore, he was prepared at any time for a system of delegation of that kind. On the broad national question, he was against an Irish Parliament altogether, but thought that the principle of delegation was better than the principle of reservation, and on that ground he should vote for the Amendment.

MR. R. T. REID (Dumfries, &c.) said that no one had attempted to answer the observation that the subjects to be delegated—if they were to be delegated—were not capable of being enumerated with any approach to accuracy. If they wished to give only a few subjects for the consideration of the Irish Parliament, it would be very easy indeed to do it—as was done in the Canadian Act for the Provincial Assemblies. But that was precisely what the Government and their supporters did not want to do. The object of the Amendment was to limit the Bill; his object was to prevent the Bill being limited. They had been asked by the late Home Secretary (Mr. H. Matthews) what sort of supremacy they wished to have over Ireland. So far as legal supremacy was concerned, there was only one they could



have, and that was the same that they had over all Her Majesty's Dominions; but he meant, most emphatically, to do everything he could to make the supremacy of Parliament over the affairs that would be discussed in Ireland as small and simple as he could. If the Irish people demanded it, he should find it difficult to refuse that they should have the uncontrolled management of Irish affairs. That subject, however, was not appropriate for discussion now; but he could imagine nothing more disastrous than to create a Parliament in Ireland, and then have constant appeals from Ireland to the Imperial Parliament, encouraging the different Parties in Ireland to contradict or fight one another, with no sense of responsibility, because they would feel that their battles must be fought over again on the floor of that House at Westminster. He would readily vote for a limitation of the powers and opportunities the House of Commons would have of interfering with or regulating the decisions of the Irish Parliament, but he must decline to attempt to further restrict the powers of that Parliament. Treating the Amendment as a very neat method of raising the question whether this was to be a gas-and-water Bill merely or not, he should vote against the proposal.

MR. MACFARLANE (Argyll): I beg to move that the Question be now put.

THE CHAIRMAN: Commander Bethell.

COMMANDER BETHELL (York, E.R., Holderness) said, that on all previous occasions when the sovereign power had parted with some of its authority, it had delegated the authority so parted with, and limited it to the necessities of the case. The case of Canada had already been mentioned; but the very interesting case of Australian Federation—which, though it had not become law, had been defined very clearly—had not yet been alluded to. In the Regulations which had been passed by the Representatives of the Australian Colonies, it had been clearly laid down that those Colonies should only give up such powers as would be sufficient for the purpose of the common Government, and such powers were very clearly defined. He thought the hon. and learned Member for Haddington (Mr. Haldane) might have

given lay Members of the House some further light on the interesting question of the Marriage Laws. He understood from the hon. and learned Member that by this proposal the Irish Parliament would have the power of divorce over people domiciled in Ireland, whilst the British laws would apply to people domiciled in other parts of the United Kingdom. He was anxious to know whether, in the event of the succession to property passing by death, the Imperial Parliament would tax the person who succeeded to Irish property and who would be illegitimate under the British law? The hon. and learned Member had said that, after all, this was the old question of supremacy. No doubt this was so. The Opposition desired to limit the powers to be given to the Irish Legislature. They were not satisfied that the supremacy which extended over the Colonies was sufficient for the purposes of Ireland. They, therefore, intended to do all they could to limit the powers to be given to the Irish Legislature and to destroy the proposal of the Government. The Prime Minister said the intention of the Government was to draw a distinct line between Imperial and local affairs. The intention of the Opposition was to do precisely the same thing, only the Opposition proposed to define the local matters with which the Irish Legislature was to deal, and the Government did not. The Opposition desired to define the local matters in such a way as would clip the wings of the Irish Legislature as much as possible.

MR. COURTNEY (Cornwall, Bodmin) said, the question he asked himself in reference to the Amendment now before the Committee was, What was the House driving at? Supposing the House had agreed that some such thing as Home Rule was to be established in Ireland, what particular form of Home Rule was to be set up? Was it to be something corresponding to Colonial Independence, or was it to be that which had been described as Home Rule all round? The hon. and learned Member for Haddington said that Parliament had never intended to enumerate subjects to be delegated. The answer to that was that in all the cases referred to by the hon. and learned Member Parliament had been setting up Colonies practically independent of Great

Britain, and over which we had a merely nominal supremacy—a supremacy which, legislatively, had never been exercised, and which in the way of veto had long since ceased to be exercised. If Parliament was going to give Ireland the degree of independence which the Colonies had, he admitted that the Government were quite right in not attempting to define by legislation the objects which the Irish Legislature was to be allowed to legislate upon. If, on the other hand, Parliament was going to set up some relation between Ireland and the Parliament of Westminster which might be followed hereafter by similar relations with Scotland, Wales, and England, the precedent that must be followed was the Canadian precedent. The speech of the hon. and learned Member for Dumfries (Mr. R. T. Reid) had rather surprised him, as he thought that the hon. and learned Member was an avowed disciple of the principle of “Home Rule all round,” and that under these circumstances he would have seized upon the opportunity of making a precedent which might be applicable afterwards to other parts of the United Kingdom. The hon. and learned Member for Dumfries used one argument, and one argument only—an argument which had been previously used by the Prime Minister—namely, that it was too difficult to enumerate the subjects with which the Irish Legislature might be entrusted. But had the hon. and learned Member looked at the Canadian precedent, or did he think that such a small, meagre, and impoverished delegation as was therein contained was not sufficient for the Irish Legislature?

MR. R. T. REID: May I interrupt my right hon. Friend to say that I have had some practical acquaintance with this subject of delegation. I assisted my hon. Friend the Member for Aberdeen in drafting a Home Rule Bill for Scotland. [*Laughter.*] It is in print. We tried to enumerate the subjects to be delegated to the Scotch Parliament, and found it perfectly impossible to do so.

MR. COURTNEY said, he had no doubt the hon. Members for Dumfries and Aberdeen found it difficult to put a limit to Scotch ambition. But he submitted they were not all Scotchmen; and it was quite probable that if they tried they would be able to

find a sufficient number of subjects to delegate to a Scotch Parliament, as he believed they would be able to enumerate a sufficient number of subjects to satisfy an Irish Parliament. In the Canadian precedent it would be found that in no less than 16 classes of subjects delegated, besides education, agriculture, and emigration were dealt with in separate clauses. Amongst the classes of subjects were municipal institutions, a subject which covered the whole code of laws, and the carrying out of which would give ample scope to the most ambitious Irish Legislature for many years. That was a precedent which ought to guide those who pursued the idea of a system with a Parliament at Westminster with four subordinate Parliaments, the Parliament at Westminster having general powers and the four subordinate Parliaments delegated powers. There was the subject of marriage, which, apparently, it was proposed to give power to the Irish Legislature to deal with. It was true that the Marriage Laws were now different in England, Scotland, and Ireland; but the difference between the English and the Irish laws on the subject was formal rather than real. Nearly 30 years ago a Royal Commission had been instituted in order to discover, if possible, a means of bringing about uniformity in the laws of the two countries. That object had never been attained. It was an object that every subject of the United Kingdom should desire to attain, but the process adopted in the Bill would make it practically impossible to attain. If marriage were kept for the Parliament at Westminster, uniformity might by-and-bye be obtained; but if it were given as a subject to be dealt with by a subordinate Legislature, he was afraid they might bid good-bye to uniformity in this matter. The Prime Minister seemed to think that the Irish people were distinguished by their views with respect to marriage and divorce, and that he was paying enormous respect to those views by the extraordinary line taken in the Bill. The Irish feeling, in the right hon. Gentleman's opinion, was so strong that persons who might obtain divorce in England could not obtain it in Ireland through the Divorce Court, but they could do so by the process of a Bill in Parliament; so that the feeling which the Prime Minister said should be respected was over-ridden, not by

providing a system of Divorce Courts, but by providing the costly machinery of a Bill in Parliament. In other words, Irish opinion might be flouted, but it must be flouted by means of a machinery which involved a considerable amount of cost. That was only an illustration of the difficulties that would result in the future if an Irish Parliament were to be set up with general powers instead of delegated powers. The precedent of the United States Government, which had been appealed to, ought to lead them to be very jealous in retaining general powers at Westminster and in abstaining from giving any large powers to the Parliament in Dublin. The weakness of the United States Constitution rested on the few subjects that were confined to the Legislative Congress and on the immense difficulty in increasing that number of subjects. He believed that in the United States the best class of citizens had long desired a uniform law of marriage, but the laws of the Constitution prevented them from obtaining their desire by reason of the machinery by which any Constitutional Amendment could be enforced being so cumbrous, unpractical, and difficult to work. They were about to take a step which would make the maintenance of a Common Law and the development of a Common Law in different parts of the Kingdom increasingly difficult. If it was desired to have a Legislature capable of legislating for all the people within the United Kingdom, the real precedent—which was the Canadian precedent—must be followed; but if, on the other hand, it was desired to pursue the ideal Colonial precedent with no supremacy and with the complete isolation and separation of Ireland, then the plan in the Bill was the one to stick to. But if this Parliament desired to maintain a real Legislative Authority at Westminster, he submitted that the plan to be adopted was that of the enumeration of the subjects to be delegated to the Irish Assembly.

MR. STOREY (Sunderland) said, he had intended to make some observations on this Amendment, but the right hon. Gentleman who had last spoken had so well expressed his views on the question that he would not trouble the Committee very long. He had thought over the question of Home Rule for many years,

and when he stood before his constituents he made a distinct promise. He said to them—

“With regard to Home Rule, I think my fellow-townsmen are entitled to a frank expression of my views. (1). I am in favour of the Imperial Parliament delegating to a Statutory Irish Parliament the full control of Irish home affairs, the matters delegated being set out specifically in the Act, and all others being thereby reserved for the decision of the Mother Body.”

He did not pretend to have as good an opinion on the Home Rule Question as the 17 Members of the Cabinet; but, although he had not thought about it so much as they had when they sat together, he had thought about it probably for a longer time than most of them, and he had come to the conclusion that if they would enter on this policy of Home Rule—and he certainly was not one of those who began it—there was no tarrying until they came to a Federal system. Therefore, he set himself to this conclusion: that if he voted for Home Rule, he would vote for a Home Rule which would give effective power to Ireland in Ireland, while retaining the Imperial power finally to the Imperial Parliament. He was going to keep the promise he made to his constituency. [*Liberal Unionist cheers.*] That statement need not have been cheered. Hon. Members would believe him when he said that they had lost votes by their cheers. It was not satisfactory to him to be cheered when he told the House he was going to vote against his hon. Friends. Those who had cheered him did not cheer him for his merits, but because they thought he was going to do some mischief. He could assure hon. Members who cheered that he was not a whit better than the Radical Members were who had been accused again and again of having made promises to their constituents which they had broken. He should like to see these promises. He knew the Radical Members, and he was bound to say that amongst the whole 140 of them, there was not a single one of them that gave a promise to his constituents which he was not going to redeem. If there was anything which would prevent Radical Members from voting for some of the Amendments, it would be the utterances of his right hon. Friend the Member for West Birmingham. He was going to vote with his

*Mr. Courtney*

right hon. Friend on this Amendment. But his purpose in so voting was to press an effective Home Rule Bill for Ireland which should fit in with the Federal system, which, rightly or wrongly, he believed to be coming; while the purpose of the right hon. Gentleman the Member for West Birmingham was not to amend the Bill in that direction, but to destroy it. There were thousands of people in the country who saw with sore dismay the right hon. Gentleman taking that line. With regard to the right hon. Gentleman who had just spoken, he really believed there was a lurking honesty in him; and he would ask him whether, when he argued so powerfully that if they were going to have Home Rule they should have this plea of delegation, did he honestly desire to convey that if the Amendment were adopted it would conciliate Liberal Unionist opinion to the Bill? The right hon. Gentleman only laughed at him now. Well, he submitted that if that question were not answered, his right hon. Friend the Prime Minister's position was perfectly right. His right hon. Friend said—"I propose a plan; it may not be as good as yours; but if you will not help in amending that plan, I will stick to it." If he had not made that promise to his constituents he would go into the Lobby with the Prime Minister, because the right hon. Gentleman, as a practical politician who wanted the Bill to be carried, was justified on having taken a line to stand by it, unless, by giving way on a point, he could conciliate Liberal Unionist opinion; and, if he could not do that, his wisest course was to be strong. Though he believed the right hon. Gentleman's plan was the best plan, he thought that the Prime Minister could have just as easily proceeded by way of delegation, and to define measures, instead of reserving measures; and, as he had given the promise to his constituents, he proposed to go into the Lobby for the Amendment.

Question put.

The Committee divided :—Ayes 275 ; Noes 228.—(Division List, No. 83.)

\*MR. BARTLEY (Islington, N.) moved, in Clause 2, line 14, to leave out "and subject to the restrictions." He said the Amendment on which the Committee

had just voted aimed at changing the scope of the restrictions in the Bill by removing them from the negative side to the positive side, and by stating distinctly the subjects that were to be included with in the powers of the Legislature about to be created in Ireland. The issue he wished to raise by his Amendment was quite different. No doubt it was absolutely necessary to limit the action of this proposed subordinate Legislature to certain subjects. It was clear that in some way or other it must be clearly and distinctly stated that such questions as the succession to the Crown, peace, and war did not appertain to the Legislature they were about to set up. On that they were all agreed. But the restrictions set forth in Clause 4 of the Bill were of a different category, and he wished to show that restrictions were illusory as safeguards to the minority, and derogatory even to the mongrel local Assembly they proposed to set up in Ireland. These restrictions, which he wished to remove from the Bill, might be divided into two classes. The first class related to religion, and the second concerned ordinary morality. A point which he wished the House to remember—and it was a point which they were apt to lose sight of—was that the Irish Legislature would, without doubt, be practically dominated and ruled by the priests. That was clear; and whether they liked it or disliked it, whether it was a bad thing or a good thing, they must recognise it, for recent events in Ireland had told them conclusively that Archbishop Walsh and his successors would pull the strings of the Legislature in Dublin. These restrictions that concerned religion were matters of very keen concern to the Irish people. It could not be supposed that a Legislative Assembly established in Ireland and very largely influenced by the priests would long support a number of restrictions which touched very deeply the religious sentiments and wishes of the Irish people; and he believed that when the Legislature was set up in Ireland attempts would be made to do away with them. But, even as they stood in the Bill, those restrictions could be circumvented and set at defiance; and was it reasonable, then, that they should be put in the Bill, especially as it was inconceivable that the Imperial Parliament would enforce these restrictions, if need

be, by war? If 80 per cent. of the Irish Members were powerful enough to force this Home Rule Bill on the House of Commons, and as they thought—though erroneously—within measurable distance of passing it—it was absurd to suppose, if they got a Legislature in Dublin—in which they would be even more powerful—that they would allow these restrictions to remain. The other class of restrictions was of a still more remarkable character. These restrictions formed a sort of second table of the Decalogue, and it was certainly an extraordinary thing to find them put into an Act of Parliament. It was possible that the Prime Minister thought that the Decalogue had been somewhat forgotten in Ireland, and that he wished to set it up in the Home Rule Bill, for Clause 5 was, practically speaking, some of the Commandments in other words. It was absolutely forbidden under the clause to deprive any person of life, liberty, and property without due process of law. That simply meant that the Irish Legislature was told “Thou shalt not kill” and “Thou shalt not steal.” It was true that the words “without due process of law” were added; but had they come to this, that they needed to put into a Statute which set up a Legislature in Ireland a clause which enacted that these offences against the Decalogue should not be committed by that Legislature? He wondered that the whole Decalogue had not been inserted in the Bill. When he had proposed to introduce into Clause 1 the words “subordinate Parliament,” which everyone agreed this Legislature would be, the Prime Minister charged him with wishing to degrade the Irish Assembly, and said the proposed words, if accepted, would be a bar sinister against that Assembly. But now they proposed to enact, for all posterity to see, that when they thought the time had come to set up a Legislature in Ireland, they thought it necessary to state distinctly in their Bill that they were afraid the Legislature would commit these crimes against the Decalogue, and that for that reason they inserted in the Bill in so many words the Commandments “Thou shalt not kill” and “Thou shalt not steal.” Surely that was a bar sinister, darker and more shameful than the words “subordinate Parliament,” which the Prime

Minister himself declared would be the position of the Irish Legislature if the Bill became law? The Irish Members must have come down very considerably if they were going to allow those objectionable restrictions to remain in the Bill. But he objected to these restrictions from the United Kingdom standpoint as well as from the Irish standpoint. If the Irish Representatives were retained in their full strength in the Imperial Parliament, the restrictions, if allowed to stand, would be a source of continual agitation in the House, for they would be denounced as an insult to the Irish nation, and the Prime Minister would in a few years have as hard words used against him by Irish Members as the right hon. Gentleman himself had used towards those who carried the Union. Suppose an agitation were got up in the Imperial Parliament to remove these restrictions, how could Parliament possibly refuse to do away with them? From the Imperial standpoint it would be, therefore, much better to remove the restrictions now than to allow them to remain to be the cause of friction in future years. There was a great deal of talk on the Ministerial side of the House about trusting the Irish people; but instead of trusting them they were about to declare that so little did they believe in the Irish people that it was necessary to put restrictions in the Bill to prevent their Legislature from killing and stealing. He thought that on those grounds the clause setting up the restrictions was the most remarkable in the Bill. Personally, he was not anxious that the Bill should become law, and he did not wish to promote its passing. But if they were going to set up in Ireland a Legislative Assembly, and if they were going to put restrictions in the Bill indicating that they did not trust the Irish people, and gave them the Legislature under compulsion, then the Irish people would not have the Legislature long before they would knock out these restrictions; and as he, therefore, thought they ought to be knocked out now, he begged to move his Amendment.

Amendment proposed, in page 1, line 14, to leave out “and subject to the restrictions.”—(*Mr. Bartley.*)

Question proposed, “That the words proposed to be left out stand part of the Clause.”

*Mr. Bartley*

MR. W. E. GLADSTONE: I will not endeavour now to deal with each particular safeguard that is contained in the Bill. By doing so I do not think the Committee would escape from having to consider in detail the clause as a whole when the Question is put from the Chair that the clause do stand part of the Bill. Hon. Members must feel that it would be a very strong measure, at the present stage of the clause, to decide that the whole of the restrictions upon the power of the Irish Legislature should be cut away. Undoubtedly the effect of the proposed Amendment would be to enlarge the scope of the Home Rule Bill. It is the first proposal of the kind that has come from the Opposition. I will only make this remark—that the restrictions which the Amendment proposes to sweep away constitute a *bonâ fide* attempt to narrow the power of the new Irish Legislature; and I must say that the way in which the Nationalist Members have acquiesced in this limitation of the power of that Legislature is most creditable to them, and affords a singular example of the moderation with which they have conducted themselves in this House in connection with the details of this Bill. I may be told that these restrictions are not of much value; but I think it will be admitted that there is not the smallest doubt that if they were swept away it would be regarded as very much enhancing the demerits of the measure. The hon. Member who moved the Amendment said it was not consistent with the respect due to the Irish Legislature to impose any restrictions of this kind. Well, take the very first of them, which prohibits the new Irish Legislature from setting up an Established Church. That, according to the hon. Member, is an improper restriction upon its legislative powers; but that is exactly the restriction that is imposed upon the Federal Legislatures of the United States. In my opinion, it is most improbable that any Irish Members would be in favour of establishing a Church of any denomination, whether these restrictions existed or not. The restrictions have been inserted with the goodwill and entire approval of the Irish Members, in order, if possible, to allay those jealousies which, however unhappy and unreasonable they may be, they find entertained and even enforced in

this House. This Irish Legislature has been called, not inaptly, a “subordinate Legislature,” and there is nothing at all improper in this policy of imposing restrictions. When we come to the clause, each restriction will be decided on its own merits; but, in my opinion, it is most unreasonable to cut out the whole mass of the restrictions that are contained in the clause at this stage, and therefore I must offer the strongest opposition to the Amendment.

MR. ROSS (Londonderry) said, that up to the present he had taken no part in the proceedings of the Committee. His constituents had very grave doubts as to whether he should in any way take part in the proceedings at all. He did not disguise that the position they took up with regard to the Bill and to every one of its clauses was a position of uncompromising hostility. But, although he entertained these sentiments towards the Bill, he thought it was his duty to endeavour to draw from the responsible Members of the Government explanations as to what the clauses really meant. He knew that these restrictions were put forward in the guise of being safeguards; but, as safeguards, they were absolute shams. There was not one of them that was not capable of being got round. Even the one mentioned by the Prime Minister had been demonstrated to be absolutely ineffective. Therefore, his constituents would much rather have no restrictions at all. He spoke with a full sense of his responsibility; he knew what the people who elected him wished; and he told the Government not to hurt the feelings of the Irish Members at all—not to strain the allegiance of some of their own supporters—by introducing these safeguards. He hoped he would hear no more of what the Prime Minister had said about the acceptance of these restrictions by the Irish Members showing their moderation and the spirit of compromise which animated them, for, with great respect to the Irish Members—for he did not wish to say anything insulting to them—he did not believe that that attitude could be maintained. The great point of the Irish Members was to get the Bill through by hook or by crook, and when they had the house over their heads in Dublin they could then get anything else they wished for. He did not believe these safeguards were intended for the

Loyalists in Ireland at all. They were intended for the protection of the Government when the Government were brought face to face before the country. That might be put off for a long time; but he sincerely believed that the time would come when the Government would have to answer to the country for the wrongs and oppression that would be wrought by this Bill, and then the safeguards would be useful to them—then they would say—"Look at all these clauses we put in for the protection of the loyal minority." But he did not think the country would be satisfied with that answer. The Representatives of the people of Ulster told the Government that they did not want these safeguards and restrictions; and he would, therefore, support the Amendment.

SIR HENRY JAMES (Bury, Lancashire): I hope the hon. Gentleman will not proceed to a Division on his Amendment, for if he does some of those who oppose this Bill will not be able to vote for it. The position some of us take up with regard to this Bill is that we oppose the Bill, and desire to see it defeated; but it may pass, and we desire to make it as good a Bill as safeguards can make it. There are illusory safeguards in the Bill, and we desire to remove these illusory safeguards. But this Amendment proposes to strike out some of the safeguards we desire to see in the Bill; and if carried it would really give to this proposed Irish Legislature greater powers than those proposed to be conferred by the Bill as it stands. Therefore, I trust the hon. Member will not go to a Division on his Amendment.

MR. A. J. BALFOUR: I quite agree that this Bill is full of illusory safeguards; but the Amendment really goes much further than illusory safeguards. It touches every one of the restrictions contained in Clause 4. My desire is, when we get to Clause 4, not to diminish its restricting power, but to increase it. As far as it goes, I think it is an improvement in the Bill, but it does not go far enough. When we get to it I shall try to make it go further; but, in the meanwhile, I think it would be inadvisable for my hon. Friend to persist in his Amendment; the proper course for him to adopt would be, when he sees how Clause 4 is modified—if it should

be modified—to move to omit that clause. As the Prime Minister has said, it would be rather a strong order, on the 2nd clause of the Bill, to take the course proposed; and, under the circumstances, I am inclined to advise my hon. Friend not to press this particular Amendment.

\*MR. T. W. RUSSELL (Tyrone, S.) said that, while sympathising with his hon. Friend opposite, he was in a difficulty. He had no great belief in the restrictions proposed by Clause 4, and less belief in that particular one which had been singled out by the Prime Minister with regard to religion. The Prime Minister was, in his view, entirely inconsistent in singling that out. The right hon. Gentleman had referred to the restrictions that prevented the Irish Parliament from establishing or endowing religion. He himself had put a Notice on the Paper to omit that special subsection, and for this reason—the Church question was reserved for the opinion of Scotland, Wales, and England; and he did not see how they were logically going to make an exception in the case of Ireland. Moreover, if they made it, it would not be observed. He thought, upon the whole, inasmuch as they would have an opportunity of dealing with each of these restrictions separately when they came to them, it would be better that the present Amendment should not be pressed.

MR. BARTLEY said, he did not desire to put the House to the trouble of a Division; and he would, therefore, withdraw the Amendment and bring it forward later. ["No, no!"]

Question put, and agreed to.

MR. BOUSFIELD moved, in Clause 2, page 1, line 15, after "mentioned," insert "and subject to the assent of Parliament as hereinafter provided." This Amendment, he said, was the first of a series which were designed to provide practical machinery by which the supremacy of the Imperial Parliament might be maintained. They had had a number of discussions on this question of supremacy; and the answer of the Government had been that the proposals which had been made would not put the supremacy in a better position, but would put it in a worse, and that their proposals were impracticable and out of

place. The object of his Amendment was to make a practical proposal with regard to the maintenance of the supremacy of the Imperial Parliament — a subject on which they had been told that both sides of the House were equally exercised, and equally desirous that a practical and effective supremacy should be maintained. He submitted there could be no such practical supremacy unless there was a possibility of that House intervening on any particular measure and saying what it had to say on such a measure before it was passed into law. Clause 5 provided the whole of the machinery in the Bill with regard to giving the assent of Her Majesty to anything the Irish Legislature might do ; and under that clause far wider powers were given to the Legislature which it was proposed to constitute in Ireland than were in most cases given to our self-governing Colonies, in regard to which the supremacy of the Imperial Parliament was almost null, or the weapon was such a rusty one that it was practically never used. With regard to our Colonial Legislatures, there was a bar put on which might be effectively used and exercised with regard to giving the Royal Assent to any Bills which might be brought into a Colonial Legislature. The Governor of a Colony was not merely the mouthpiece, as it were, of the Legislature for the purpose of giving assent to a Bill ; but he had, in fact, a real discretion, and could exercise that discretion, in order to give or withhold assent to a Bill. According to the Bill now before the House, it was proposed that the Lord Lieutenant in Ireland, who held a position corresponding to that of a Governor in the Colonies, should have no discretionary power of that kind, therefore this was a weaker Bill, and gave more power of freedom to the proposed Legislature in Ireland than had hitherto been given in the case of many of our Colonial Legislatures. This Bill provided that the Lord Lieutenant should, on the advice of the Executive Committee, give or withhold the assent of Her Majesty to Bills passed by the two Houses of Parliament ; so that, practically, for the purpose of giving or withholding that assent, the Lord Lieutenant had to act on the advice of the Executive Committee, and had no

independent power to give or withhold assent.

MR. J. MORLEY said, that surely the hon. Member was now debating Clause 5.

THE CHAIRMAN : I understood he only wanted to refer to it for the purpose of illustrating his argument ; but he is going beyond that.

MR. BOUSFIELD said, his desire was simply to make a statement as to Clause 5, and not in any way to debate it. He simply intended to point out that the Lord Lieutenant had no voice in the matter, and that the only possible place where the exercise of any supremacy could come in was in the last lines of Clause 5—

“ Subject, nevertheless, to any instructions given by Her Majesty in respect of any such Bill.”

THE CHAIRMAN (interposing) said, it was extremely important that in the discussions on this Bill no subsequent Amendment should be anticipated. Such a course was out of Order.

MR. BOUSFIELD was afraid he had not made his meaning clear. He intended simply to state what the possibilities were of intervention under this Bill, and to point out that his Amendment proposed to supplement that possibility of intervention by providing that no Bill should pass without the assent of Parliament. He wanted to show that these lines did not include any supremacy of Parliament, and that the line with reference to instructions given by Her Majesty was the only possible line in the whole of the Bill where any practical attempt was made to maintain the supremacy ; and what he proposed to do was to supplement that by inserting an express provision that a Bill which had passed the two Houses of the Irish Legislature should not pass into law without the assent of the Imperial Parliament. That must be followed up by another clause, and it would be convenient he should state to the Committee what the clause was.

MR. J. MORLEY : No, no !

MR. BOUSFIELD : He saw a disposition to prevent him stating his case.

THE CHAIRMAN : There is no disposition to prevent the hon. and learned Gentleman stating his case ; but if he goes beyond the ruling it is my duty to call him to Order.



Mr. BOUSFIELD had not the slightest intention of going beyond the ruling of the Chair, and his remark was made in reply to an observation of dissent from the Chief Secretary.

\*MR. T. W. RUSSELL: On a point of Order, may I point out that the Amendment states, "subject to the assent of Parliament as hereinafter provided"? Is it not competent for the hon. and learned Gentleman to show under that what he provides hereinafter?

THE CHAIRMAN: It is competent for the hon. and learned Gentleman to point out what it is he intends to provide, but not to discuss it, and so anticipate other Amendments.

Mr. BOUSFIELD observed, that he proposed to refer to the clause, "hereinafter provided" to show how it fitted in with that he had moved. And he would simply read the sub-section which he intended to move to add at the end of Clause 5. It was this—

"Every Bill which has passed both Houses of the Irish Legislature shall be laid before each House of Parliament, and shall not, except in case of urgency, be presented to the Lord Lieutenant for Her Majesty's assent until 40 days after it has been laid before both Houses of Parliament. If within such 40 days an Address be moved in both Houses of Parliament praying that Her Majesty's assent be not given to such Bill, and if both Houses of Parliament present such Address to Her Majesty, such Bill shall be null. Provided, nevertheless, that if the Lord Lieutenant is advised by the Executive Committee of the Privy Council of Ireland that the immediate enactment of any Bill is a matter of urgency, such Bill may be immediately presented to the Lord Lieutenant for Her Majesty's assent."

There were other proposals by which, in one form or another, the assent of Parliament was intended to be provided. He did not, therefore, wish in any way to tie himself or the Committee to any particular form of assent which the Committee hereafter might think it right should be inserted in the Bill. What he did desire to do was to lay before the House this proposition—that in the majority of cases at all events, except in cases of urgency, when an immediate enactment might be a matter of necessity, they ought to reserve the right of Parliament to intervene before assent was given to Irish measures. That right of intervention would, he thought, be best preserved by providing that a delay should take place after a Bill had passed both Houses in Ireland, and that during that

delay the Imperial Parliament should have an opportunity of considering the proposal.

\*THE CHAIRMAN: I ought to point out to the hon. and learned Gentleman that if he moves his Amendment now and it is negatived he will not be able to move his Amendment to Clause 5. I would, therefore, suggest he should withdraw his Amendment now, and raise the question on Clause 5.

Mr. BOUSFIELD said, he was explaining that he did not in any way desire to tie himself or the Committee to any particular form to which assent should be given; but he was simply illustrating what he meant by the assent of Parliament by referring to the particular Amendment he had put down, and the rejection or insertion of these words would not in any way tie the hands of the House with regard to any specific proposition. He desired to submit that if any Amendment was to be moved at any subsequent stage of the Bill by which the assent of Parliament should be reserved in any particular case, here was the proper place where a Saving Clause should be put in. The present Amendment corresponded with the words preceding it—"With the exceptions and subject to the restrictions in this Act mentioned"—words which pointed, as his Amendment did, to provisions that were to follow. He had stated at the outset, and he repeated, that some assent of this kind was necessary if they were to preserve in a practical form the supremacy of that House. The supremacy of Parliament did not mean merely that they should have the power to repeal any measure which was passed by the Irish Parliament; but it meant, if supremacy was to be an effective power, that, before the act was done to which they objected, they should have an opportunity of discussing it in that House, and of there determining before assent was given whether or not it was a measure in which the Imperial Parliament should interfere. He apprehended that such a power would be rarely used. The very existence of the power of discussing in that House whether or not assent ought to be given to a measure would probably prevent the necessity in almost every case of resorting to the exercise of that power. But in the case of new legislation that power might be required. Take, for instance, the case

of legislation with regard to land. If Irish Members were true to their pledges on the Land Question, any Land Act which the Irish Legislature passed must be one to which the great majority of hon. Members of the House must necessarily offer uncompromising opposition. If the Lord Lieutenant gave the Royal Assent on the advice of the Executive, and if this Parliament had no power to intervene, where would the supremacy of Parliament be? If power were reserved to Her Majesty to refuse assent, that would not be the supremacy of Parliament; it would be the supremacy of Cabinet Ministers, and there would be no possibility of testing in that House whether such assent ought to be given. If in regard to legislation of this kind Parliament was to be supreme, it must have power to consider proposed legislation before there was any possibility of the assent being given. He had been considering this question as affecting new legislation, and he would now take the case of old legislation. Part of the supremacy of Parliament consisted in maintaining the laws as they stood on the Statute Book; and, except on certain subjects, it would be in the power of the Irish Legislature to repeal clauses as they stood at present on the Statute Book. Take the law relating to bills of exchange. Under this Bill the Irish Parliament would have perfect power to repeal or modify the law as to bills of exchange, or any other part of the Mercantile Law. In order to maintain that uniformity in their Mercantile Law which they believed to be essential to the prosperity of the United Kingdom as a whole, they would then have to exercise the Royal Prerogative upon the advice of Ministers. It was not right that the Royal Prerogative should have to be called up in a matter of that sort, as it assuredly would have to be under that Bill in order to obtain uniformity of commercial laws. Of course, one hardly expected that the Government would assent to an Amendment of this sort, because hon. Members on his side of the House knew perfectly well they would be told this was not the right place to move it, or that a mere paper declaration of supremacy was no declaration of supremacy at all. But he contended he was now proposing practical machinery

for the assertion of that supremacy; and surely there were some hon. Gentlemen opposite who had pledged themselves over and over again to an effective and practical supremacy available in case of necessity, who would admit that the time had come when they ought to give effect to their declarations? This was the proper place to indicate that in some form or another it was intended to make the supremacy effective. Speaking from a Conservative point of view, he said that in making a great change, such as that proposed by the Bill, they ought to work cautiously, and, as far as possible, see that evolution and development might have time to act in a matter of this sort. They had done so in the Colonies, where they had preserved far greater powers for intervention than in this Bill. Had they more reason to trust Irishmen than they had to trust the Colonists? Why should they give more freedom to Ireland and retain less power of intervention than they did in the case of the Colonies? He held that the Imperial Parliament ought to keep the reins in its hands, and that as time went on and things worked well it could give more rein and greater freedom to the Irish Legislature.

The Amendment referred to was as follows: Page 1, line 15, after "mentioned," to insert "and subject to the assent of Parliament as hereinafter provided."

MR. E. STANHOPE (interposing) desired to ask what would be the effect of moving this Amendment. Would it have the effect of shutting out the Amendments to be moved by the hon. and learned Member himself and other hon. Members to Clause 5. If it had that effect, he would suggest to his hon. Friend that he should not move it now.

THE CHAIRMAN: I have no doubt that if these words are moved now and negatived they would shut out the Amendment of the hon. and learned Member to Clause 5, and all Amendments of this kind. I pointed that out to the hon. Member while he was speaking, but I could not say his Amendment was out of Order.

MR. BOUSFIELD : I hope, on the point of Order, you will consider what I submitted to you.

THE CHAIRMAN : I distinctly considered what the hon. and learned Gentleman said. I am distinctly of opinion that if these words are negatived they will shut out the Amendment of the hon. and learned Member to Clause 5, and all other Amendments of the same character.

MR. BOUSFIELD : If that is so I shall not move it.

MR. J. MORLEY : I submit that the hon. Member has moved his Amendment.

MR. BOUSFIELD : May I say that the right hon. Gentleman (Mr. Stanhope) interrupted me as I was in the act of moving ?

\*MR. T. W. RUSSELL : I would suggest to my hon. Friend that, seeing he cannot withdraw his Amendment, he had better go on with it.

THE CHAIRMAN : My own impression was that the right hon. Gentleman was in time to stop the hon. Member from moving it ; but he was very near it.

MR. J. MORLEY : My impression was that the hon. Member had moved it.

MR. SHEEHY : I was opposite the hon. and learned Member, and I distinctly heard him move the Amendment.

THE CHAIRMAN : I must point out to the right hon. Gentleman that that was my impression. The question has to be decided by me.

MR. T. W. RUSSELL : Is it your ruling that, the Question not having been put, the Amendment can be withdrawn ?

[Hon. MEMBERS : It was put.]

MR. J. MORLEY : On a point of Order, may I ask has the Question been put ?

THE CHAIRMAN : The Question has not been put. I call on Commander Bethell.

MR. MACFARLANE : I wish to ask you, Sir, whether an hon. Member, having spoken to an Amendment, is then entitled to withdraw it without the leave of the Committee ?

THE CHAIRMAN : It was perfectly plain that if the hon. and learned Member had moved the Amendment he could not then have withdrawn it without the leave of the Committee. My impression, under which I have acted, is that he did not move it, and that is the reason I did not put it to the Committee.

MR. J. MORLEY : On a point of Order, may I ask upon what question the hon. and learned Gentleman was speaking ? What was his position during his long speech if no question was to be put at the end of that speech ?

MR. PLUNKET : I submit to you, Mr. Mellor, that the point raised by the Chief Secretary does not apply. Till a Motion is actually made the hon. Member is entitled to speak unless he is interrupted by you. The fact of his having made his speech does not, in the least degree, affect the question.

MR. J. MORLEY : May I ask, then, whether it is competent to any or every hon. Member of the Committee to get up and make a speech, and then to sit down without making any Motion ?

MR. E. STANHOPE : I wish to call the attention of the Committee to the fact that the point of Order has been decided, and that, therefore, this discussion is irregular.

THE CHAIRMAN called upon Commander Bethell, and Mr. Harrington also rose.

MR. HARRINGTON : I want to move a previous Amendment to that of the hon. and gallant Gentleman. I beg to move the Amendment standing in the name of the hon. Member who last addressed the House (Mr. Bousfield).

\*MR. T. W. RUSSELL : I rise to a point of Order. I wish to ask you, Mr. Mellor, whether, having given your decision upon the question arising out of the speech of the hon. and learned Member for Hackney, and having called upon another hon. Member to move his Amendment, it is competent for the hon. Member for the Harbour Division to go back and move the hon. and learned Gentleman's Amendment ?

THE CHAIRMAN : No ; it is not.

**MR. HARRINGTON :** On a point of Order, Mr. Mellor, I wish to point out to you—

**THE CHAIRMAN :** Commander Bethell is addressing the Committee.

**MR. HARRINGTON :** May I ask am I not entitled to move a previous Amendment, Sir?

**\*THE CHAIRMAN :** The hon. and learned Gentleman is out of Order, for this reason : that that part of the clause has been passed, and I have called upon Commander Bethell, who is in possession of the Committee.

**COMMANDER BTHELL** moved, in page 1, line 15, to leave out the word "granted," and insert "delegated." The hon. and gallant Gentleman said the Amendment was of the same character as some of the Amendments which had already been moved. This question of supremacy must crop up here as it had cropped up on other Amendments. The Amendments had endeavoured definitely to declare the supremacy of Parliament in so many words. The Government had practically pledged themselves to accept in some form or another an Amendment or clause which would have the effect of declaring in so many words the supremacy of Parliament, and he suggested that the acceptance of his Amendment would meet the wish of the Government. So far as he knew, the word "granted" had never been used in any other delegated powers they had given to any other Body. In the Act relating to Canada the powers were "vested in and exercisable by." He contended that these words were much more on all-fours with the words he proposed than with the word in the Bill. From the sentence in the Act under which these powers were conferred on the Colonial Parliament, it was quite obvious much more restricted powers were intended to be given to the Irish than were accorded to the Colonial Parliament, and for this reason : The Acts relating to the Colonial Parliaments stated that they should have power to make laws of every description, which was a much wider proposal than anybody ever dreamed of giving to the Irish Parliament. He hoped the Chief Secretary would not take up an attitude

of hostility to this Amendment. Surely it would be wise and politic on the part of the right hon. Gentleman to soothe the susceptibilities of Members of the Opposition, and go a little way to meet their reasonable and legitimate views. He would remind the Committee that the late Government made reasonable concessions to the Liberal Party when they were in opposition. He agreed that the substance of the question raised by the Amendment was the same that had been discussed all last week and all that day. That question was the question of supremacy, which they should continue to discuss until some concession was made to them. They should insist on having defined in clear and unmistakable terms the supremacy which they desired to see exercised over the Irish Parliament. He would, therefore, express the hope that the Chief Secretary would accept the Amendment which he begged to move.

Amendment proposed, in page 1, line 15, to leave out the word "granted," and insert the word "delegated."—(*Commander Bethell.*)

Question proposed, "That the word 'granted' stand part of the Clause."

**MR. J. MORLEY :** The hon. and gallant Gentleman has taxed me with showing hostility towards Amendments. I do not regard him as very serious in moving the proposition he has done, and I cannot suppose he regards his own Amendment as a serious one. The hon. and gallant Gentleman falls back, as everybody does, or has done, and he moves an Amendment to the Bill upon the necessity of declaring unmistakably and formally and positively the doctrine of the supremacy of the Imperial Parliament. I do not complain of that ; I only wonder that anyone should suppose that that doctrine was in any way whatever furthered or asserted or made more emphatic by substituting the word "delegated" for the word "granted." The hon. and gallant Gentleman in his speech showed that he is not more particularly than the rest of us a master of the niceties or distinction in phrase. Here is an Amendment turning entirely

upon the distinction between "granted" and "delegated," and I submit that the hon. and gallant Gentleman did not adduce one single consideration—or, indeed, did not show the slightest necessity for adducing considerations—to induce the Committee to believe that the word "delegated" more clearly and emphatically asserts and preserves the supremacy of the Imperial Parliament than the word "granted." I can tell the hon. and gallant Gentleman that there are lawyers and sea lawyers. There are lawyers who say that "granted" is a word which more clearly asserts the Parliamentary supremacy, or as clearly, as the word "delegated." There is not a shadow of foundation for the contention on which the hon. and gallant Gentleman rests his Amendment. To declare that supremacy will be better preserved by substituting "delegated" for "granted" is to show a complete want of appreciation of the distinction between the two words. In 1886 the words we used were—"it shall be lawful for the Irish Legislature." In order to meet the views and wishes of the Party of the hon. and gallant Gentleman, we have now substituted the words "there shall be granted." The use of those words indicates that there is a granting power and a granting Authority, and what can that Authority be but the Imperial Parliament which passed the Bill? The Amendment is an entirely futile one, and the Government will certainly not assent to it.

\*MR. GOSCHEN (St. George's, Hanover Square): The right hon. Gentleman is certainly what he said my hon. and gallant Friend was not, a master of the English language, and that he should fail to see the difference between "granted" and "delegated," strikes me as somewhat extraordinary. The right hon. Gentleman says that the Government substituted the word "granted" for the words "it shall be lawful," not, it will be observed, because they were themselves convinced of the necessity of emphasising the supremacy of the Imperial Parliament, not to please any of the hon. Members behind them, who are watching the attitude of the Government with regard to the question of supremacy, with,

*Mr. J. Morley*

I think, an increasing interest, but to satisfy hon. Members on this side of the House. The right hon. Gentleman says the use of the word "granted" shows that there must be supremacy, because if anything is granted there must be authority to grant. But I have never heard that when you have granted a thing, you have power to take it back again. "Granted" means conveyed in a much more permanent way than "delegated." If you delegate a thing, you simply confide it temporarily, and have the power of resumption. That is the distinction which would strike the general reader, if it would not strike the legal mind. I do not know whether the right hon. Gentleman has consulted the Solicitor General on the point. The right hon. Gentleman says we are arguing this question with undue iteration. Yes, but I think we are educating the public by iteration as to the attitude of the Government upon this matter. We remember that they will not have the word "subordinate," and that they will not have any specification or delegation of powers; and that when they have a difficulty on a question of definition, they would rather give the benefit of the doubt to the Irish Parliament than to the Imperial Parliament. They say it is difficult to give a definition of Imperial and local concerns; and when they regard the difficulties as equal, they give the benefit of the doubt to the Irish Legislature. This spirit runs through the discussion of every Amendment. The Government resist the assertion of anything like supremacy, relying on the exposition of the doctrine of supremacy by the Solicitor General (Sir J. Rigby)—an exposition which conclusively proved that it was not an inalienable supremacy at all. [*Cries of "Oh!"*] The Solicitor General does not deny it.

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): The right hon. Gentleman is putting an improper interpretation upon my argument.

MR. GOSCHEN: That is a careful denial on the part of the hon. and learned Gentleman.

THE SOLICITOR GENERAL: I did not say that there was any doubt at all about the supremacy. I have never stated anything that would lead to that

conclusion, and I wish again to say that I consider it so firmly established that this Act cannot in any way invalidate it.

\*MR. GOSCHEN : I observe that the Solicitor General has not denied that part of my argument which says that he rested on statute and not upon inalienable supremacy. This is too important a matter to be allowed to remain unexplained. I do not wish to press the Solicitor General at all unduly ; but I would ask him whether I understand him to state that the Imperial supremacy rests in the main upon the Act of Union, and not upon inalienable right ? This I understand to be the case, and the consequence is, that we must look more carefully at every question in which the supremacy is involved than was necessary before that was established. In the refusal of the Government to use the word "delegated" we have one more proof of the extreme reluctance they have to specify or emphasise by any single word in the Bill the fact that what Parliament gives Parliament might again take away. If the right hon. Gentleman the Chief Secretary for Ireland (Mr. J. Morley) considers that the words "delegated" and "granted" are not so dissimilar that one might not be used for the other why will he not, at all events on this point, meet us ? The right hon. Gentleman says it is a small and futile matter.

MR. J. MORLEY : I did not say it was a small and futile matter, but that it was a small and futile Amendment.

MR. GOSCHEN : Well, then, if it is a small and futile Amendment why not accept it ? The right hon. Gentleman thinks it can do no possible harm, and I should like to see the Government on one occasion admit a word which more clearly indicates that what Parliament gives Parliament may take back.

MR. STOREY (Sunderland) said, he had already given a vote in favour of delegation, and he thought the matter had been settled. He now found they were quarrelling not about the thing itself, but about the form of words to be used. The right hon. Gentleman who had just sat down had contended that the use of "granted" implied the giving of that

which could not be taken back again. But was not a Charter "granted" ? A Charter was granted to the East India Company, but that Charter was afterwards withdrawn. Imagine the right hon. Gentleman coming down to the House and arguing—although he could not have done so at that time, because he was then a Liberal—that the Charter ought to be withdrawn because it had been "granted" and that it might have been withdrawn if it had been "delegated." The Committee had said it would not adopt the principle of delegation, and he accepted that decision, although he was sure that on a future occasion the principle would have to be adopted if a Home Rule Bill was to be carried through Parliament. He agreed with the right hon. Gentleman the Chief Secretary that they were simply discussing a trifling and futile Amendment ; and if hon. Members opposite wanted any support on the Ministerial side of the House, and any support in the country on questions of principle they would, in his opinion, exercise a wise discretion in dropping discussions about words and debating only really important matters.

\*SIR R. TEMPLE (Surrey, Kingston) said, he desired to correct a misapprehension into which the hon. Member for Sunderland (Mr. Storey) seemed to have fallen in regard to the East India Company. The hon. Gentleman seemed to think that that Company's Charter, having been granted by the Crown, was arbitrarily taken away. On the contrary ; the Charter had been granted, revoked, re-granted, and re-granted again at various intervals, in every case for a term of years, before the end came. No one had greater respect than he had for the authority of the right hon. Gentleman the Chief Secretary (Mr. J. Morley) upon a question of language ; but he would suggest to the right hon. Gentleman that the word "granted" was a great deal stronger than the word "delegated." "Granted," of course, implied a granting power, but the grantor parted with his power in making the grant, and could not recover it. Delegation was a far weaker operation, and meant a deputing of a power which could be revoked, and

which in ordinary circumstances would be revoked. It had something of a temporary signification. Of course, nobody contemplated revoking without very good cause the power proposed to be given to the Irish Legislature, but the right to revoke ought to be retained. The Chief Secretary for Ireland had misunderstood the Amendment in a manner which was certainly not worthy of his great literary authority, and he hoped the proposal would be pressed to a Division.

MR. MACARTNEY (Antrim, S.) desired to ask the Government why they had departed from the form of words in which legislative powers were conferred upon the Legislatures of New South Wales and Victoria? Was it intentional or unintentional that that form of words, which was repeatedly used in Acts dealing with the Colonies, had not been employed in the present case? If they were not used, and the Government had determined to abandon the form of words almost consecrated in the Forms of the Colonial Legislatures, was it because the expression used in the clause was either greater or less in authority than the expression used in establishing legislative authority in Victoria and in New South Wales? There was a very material difference, as hon. Members would see by referring to the Act of 1854 or 1855. The Solicitor General would no doubt be able to say why the Government had abstained from adopting the words used in the other cases.

Mr. Channing rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes 218 ; Noes 146.—(Division List, No. 84.)

Question put accordingly, "That the word 'granted' stand part of the Clause."

The Committee divided :—Ayes 251 ; Noes 186.—(Division List, No. 85.)

MR. A. CROSS (Glasgow, Camlachie) said, he wished to move an Amendment giving the Irish Legislature power to make laws for

"the making, maintaining, and improving of railways, tramways, canals, waterworks, reservoirs, gas and lighting works, fisheries, and all other things which are the subject-matter of Bills known in either Houses of Parliament as local Bills, and also for the confirmation of Provisional Orders."

This was an honest Amendment.

MR. PICTON (Leicester): I would ask whether this Amendment is in Order? Having passed the 1st clause of the Bill, is not this Amendment really trifling with the Committee?

THE CHAIRMAN: This Amendment is in Order.

MR. T. M. HEALY (Louth, N.): Is the hon. Member entitled to describe his Amendment as an honest one, thereby implying that the other Amendments are dishonest?

THE CHAIRMAN did not reply.

MR. AMBROSE (Middlesex, Harrow) asked whether the hon. Member, by moving this Amendment, would shut out one in his (Mr. Ambrose's) name?

THE CHAIRMAN: I must put the Question in one particular form—namely, that the words "peace, order, and good government of Ireland" stand part of the clause; and if the Committee adhere to those words, no doubt the hon. Member's Amendment will be shut out. If, on the other hand, they are rejected, the hon. Member can move his Amendment.

MR. CROSS said, he was not sorry that he had elicited from supporters of the Government a hostile expression as to his Amendment, because it would bring into clear significance the fact that their view was wholly and totally opposed to the view he had ventured to express in his Amendment, and which he held was the opinion with which a great many Members went to the poll at the General Election. He had been about to go further, and say that he hoped the House would see that his Amendment was in the way of concession, and he thought an important concession, to the views of those who believed in the doctrine which they called Home Rule. He admitted in his Amendment that Ireland had a serious grievance—that in the matter of Local Government Bills she was

at a great disadvantage. He conceived that the House had not proved itself able to deal efficiently with these matters, and he proposed, therefore, to concede to the new Irish Government the powers which the Imperial Parliament had not been able to exercise satisfactorily. But if he went so far with those hon. Gentlemen who believed in the doctrines of Home Rule he did not do so because of the reasons which actuated the supporters of the Government. Those reasons were matters of ancient history. They believed that Ireland had grievances 100 years ago, and that that country ought to be erected into an independent nation. He moved his Amendment for different reasons. He ventured to think that Parliament could not deal efficiently with local Bills, and his experience in the House, though brief, had confirmed him in that view. Piles of measures were introduced and placed on the Table of the House, and they were very little noticed, though in the localities where those measures were required they were regarded in a very different light. According to the arrangements under which the House carried on its business, this condition of affairs could not well be otherwise. He might be told that these Bills were dealt with after 12 o'clock at night. That was true; but he ventured to say that nothing in that House impressed the imagination of a new Member more than what took place after 12 o'clock at night. A long list of Bills was read, and some were passed, the House not understanding their contents. Not only was their contents unknown, but the House was comparatively indifferent to what the Bills were. Those were the conditions under which local Bills were dealt with; and when such a condition of things prevailed, he thought it was not too strong a phrase to say that the whole thing was a farce. It might be urged that the local Bills of that House were properly considered in the Committees. He did not wish to disparage the work performed by Committees of that House. He recognised the weight of their labours, and he wished to relieve them of those labours because they were over-worked. There was a Debate the other day on the question of limiting the hours of miners, and he understood

the proposal met with the assent of a majority of the House. [*Cries of "Question!"*] If the proposal had been to restrict the hours of legislators to eight hours it would probably have been——

THE CHAIRMAN observed that the hon. Member was not addressing himself to the Amendment.

MR. CROSS said, his point was that that House was unable to discharge its duties as regarded Private Bills, because in Committee the Members sat from 12 to 3, and then they sat in that House from 3 till 12 or 1. [*"Order!" and interruption.*] The House was not fit to discharge its functions as things were now in respect of local Private Bills. He would go further, and say that the House ought not to deal with local Bills. Having to bring such Bills to be dealt with in London meant both delay and expense. [*Cries of "Question!" and "Order!"*]

MR. T. M. HEALY rose to Order, and asked whether the hon. Member ought not to confine himself to the question whether the lesser powers which he suggested could alone be conferred on the Irish Legislature?

MR. J. A. BRIGHT would like to ask whether it was usual for hon. Members to subject a new Member in his maiden speech to continual interruption?

THE CHAIRMAN hoped that the hon. Member would keep within the scope of his Amendment.

MR. CROSS said, he was trying to do so. He was not unaccustomed to interruptions from the Irish Party in that House, and in other places when he had occasion to say things not altogether palatable. Continuing, he said, that under the present state of affairs, the expense and delay of conducting local Bills in Parliament were very great. It might be that certain witnesses would be delighted to come to London because of the outing; but they were coming at other people's expense, and it was not a very delightful thing from the point of view of those who had to pay the money, and it was not to the public interest that expenses should be piled on in this way.



[*Cries of "Agreed!" and "Order!"*] He did not think that Parliament was the proper tribunal for such measures. He had knowledge of a Committee consisting of 17 Members which was appointed the other day, and it was a curious fact that five was to be a quorum. He concluded from that that the attendance was not very regular—[*Cries of "Question!"*—and that the duties imposed on Members were such that they could not give proper time to these questions. He would also urge that the House did not possess the necessary knowledge which was required for the purpose of dealing with local affairs involving knowledge of details of a local character. The question arose whether this Parliament which it was proposed to set up in Ireland was a fit and proper tribunal to entrust with the powers of dealing with local business. It might be said that his argument had been practically admitted, for last year there was a proposal before Parliament that a Body should be elected to deal with these questions in the nature of a Commission composed of Judges, Members of Parliament, and Railway Commissioners. He thought that the power of dealing with these matters should be dealt with by some Local Authority elected for the purpose, and which would be responsible to Parliament. He thought the days had gone by when nominated Bodies could obtain much support or countenance in this country. He understood from the Government that it was one of their main conditions in proposing their Home Rule scheme that nothing should be enacted by the Bill which should not be equally capable of being extended to Scotland. [*Cries of "Question!" and interruption.*] It could also be extended to Wales if the Welsh people wished it. [*Cries of "Question!"*] He contended his proposal was of a nature eminently calculated to meet the requirements and necessities of Scotland in regard to local measures. Wales might speak for itself when the time came. If it preferred the present system—[*Cries of "Question!" and interruption.*] He did not think the Home Rule scheme of the Government was one which they themselves would allege could be extended to Scotland. [*Cries of "Question!"*]

*Mr. Cross*

THE CHAIRMAN: I must request the hon. Gentleman to confine himself to Ireland.

MR. CROSS said, he understood it was an important condition of the Government's scheme that there should be nothing in this Bill which was not capable of being extended to Scotland. [*Cries of "Question!" and "Order!"*] The Prime Minister, speaking in Edinburgh in 1892, said that no principle should be laid down for Ireland—[*Interruption*—which could not be admitted for Scotland if she should desire it. As it stood, the clause was not one that the Government would propose for Scotland. [*Cries of "Question!" and interruption.*]

THE CHAIRMAN: I have already pointed out to the hon. Member that this is a measure for Ireland and not for Scotland. The question is entirely distinct from Scotch Home Rule at the present moment.

MR. CROSS said, he bowed to the Chairman's ruling, of course. [*Laughter.*] Hon. Members below the Gangway opposite laughed because he bowed to the Chairman's ruling. He should postpone the consideration of his argument as to how the clause might affect Scotland; but he gave the Government fair warning that he should not fail to watch every clause in the Bill and criticise it if it were a clause which might one day be applied to Scotland, and other Scotch Members would not be justified in taking any other course. He would admit that if the Government intended to make Ireland a nation then the proposal was petty and insignificant; but he would remind them that if that was their intention, then their own proposals were petty and insignificant. He understood what was meant by the liberty and freedom of a nation; and he was greatly mistaken if any nation, worthy to be called a nation, would submit to the conditions laid down in the Bill. If, on the other hand, the Government did not intend to make Ireland a nation, but to delegate to Ireland subordinate powers, he respectfully submitted to them that the course they had adopted was not a course likely to realise wise and prudent calculations. He would

admit the time must come when a delegation of powers must take place from that House to Local Bodies. He asked those hon. Gentlemen who led the Liberal Party whether their course would not be wiser and better—[*Cries of "Question!" and interruption.*] He was entitled to his opinion as to the manner in which the Liberal Party had been conducted of late years. [*Interruptions.*] Although he was a young Member of the House, he had worked for the Liberal Party for many years; and he had been in the secrets of the Liberal Party. He was entitled to an opinion in the matter, and he asserted that the Government had not gone into this question of Home Rule in accordance with the traditions of the Liberal Party. [*Cries of "Question!"*]

THE CHAIRMAN: I really must call the attention of the hon. Member to the Amendment which he is moving.

MR. CROSS, resuming, submitted that his Amendment was a step in the right direction, and he hoped that Unionist Members would see their way to support it, on the broad plea that devolution of some sort was becoming inevitable. He hoped, also, that some of the hon. Gentlemen who supported the Government would also vote for it. One hon. Member, at least, was committed to his proposal. [*"Question!"*] He alluded to the hon. Member for Rossendale, who, in common with many other Gladstonian candidates, drew attention to the anomalies to which he (Mr. Cross) had referred, and justified their support of the scheme of the right hon. Member for Midlothian by conveying to the minds of the electors that the Home Rule which they proposed for Ireland was practically simply the giving of powers to deal with such matters as he had referred to in his Amendment, which he now begged to move.

Amendment proposed,

In page 1, line 16, to leave out the words "peace, order, and good government," in order to insert the words "making, maintaining, and improving of railways, tramways, canals, waterworks, reservoirs, gas and lighting works, fisheries, and all other things which are the subject matter of Bills, known in either House of Parliament as local Bills, and also for the confirmation of Provisional Orders in."—(Mr. Alexander Cross.)

VOL. XII. [FOURTH SERIES.]

· Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. W. E. GLADSTONE: The hon. Member says this is an honest Amendment, and I am bound to believe him. But, with all respect to the hon. Member, I cannot help feeling that it is a ludicrous Amendment. When his Amendment was read out from the Chair, I noticed that some hon. Gentlemen opposite had considerable difficulty in maintaining their gravity. To put it fairly and candidly, is it not a ludicrous Amendment? Because, surely, in everything we vote in the Bill we must have some regard to what we have voted already? We have determined to constitute in Ireland not a tribunal for dealing with railways and the other matters mentioned in the Amendment; but we have determined to constitute a Legislature. That Legislature is to consist of the Queen and of two Chambers. Is it to be conceived that that Legislature and that interposition of Her Majesty the Queen is seriously to end in the declaration which the hon. Gentleman, seriously I suppose, invites us to make—namely, that Her Majesty and these two Chambers for the better government of Ireland are to deal only with matters relating to railways, tramways, canals, waterworks, reservoirs, gas and lighting works, and so on. I must hold, viewing the consummation to which some hon. Gentlemen seem in danger of leading the Committee, it seems to me we are in danger of substituting not only jokes for earnest, but extremely bad jokes.

MR. J. CHAMBERLAIN (Birmingham, W.): I have been in the House now for 17 years, and although that is a very short time in comparison with the lengthened service of my right hon. Friend, still I fancy it is much longer than most of the present Members of this House; and I will say, at all events, in my own experience—and I doubt very much whether the longer experience of my right hon. Friend will qualify what I am about to say—I have never known, during all the time I have been in the

House, any lack of courtesy shown towards a new Member addressing the House for the first time. I confess I should have thought the very fact that my hon. Friend behind me was a new Member would have justified the House in according to him, at all events, a patient consideration of his Amendment, even if, in the words of my right hon. Friend, they thought the Amendment to be entirely ludicrous. I say that even then I still think the ordinary courtesy of Parliament might have suggested a little more decent attention to what my hon. Friend said. I come to consider the Amendment; and, I ask, is it ludicrous? My right hon. Friend, at an earlier part of the discussion this evening, fell foul of me because, he said, I proposed an Amendment, and in proposing this Amendment I was not willing to say that if the Amendment were accepted I would accept the Bill.

MR. W. E. GLADSTONE: I said nothing of the kind.

MR. J. CHAMBERLAIN: I should be sorry to do my right hon. Friend an injustice; but I am in the recollection of the Committee. I will say that I understood my right hon. Friend to make that accusation against me. We are placed in a difficult position by the action of the Government. When we move an Amendment the Government either ask, in order that they should give fair consideration to that Amendment, that we should go on and say, if they do so, that we would accept the whole Bill, or else they accuse us of a desire to destroy the Bill, and of an intention to make no Amendment in the Bill. That is their first case as against the Opposition, and when we do propose an Amendment of value then they say that the Amendment is ludicrous. We have never placed ourselves in absolute opposition to what the Prime Minister calls the principles of his policy. But the principles of the right hon. Gentleman's policy is always varying, like the arguments by which he supports them. Still, at different times my right hon. Friend has said that his principle was to establish some sort of Legislative Authority in Ireland, leaving

*Mr. J. Chamberlain*

it an open question as to what sort of Legislative Authority it should be and what matters it should deal with. If we accept that as the principle of the measure, some of us, in view of our past pledges and promises—[*Cheers and counter cheers.*] I can assure hon. Gentlemen opposite that we find it more difficult to swallow past pledges than they do. But we cannot, in view of our past pledges and promises, entirely oppose a principle of that kind. I, for one, may say that I have no objection whatever to the establishment of a Legislative Authority in Ireland, and to give to that authority, experimentally, certain powers. The difficulty is as to what extent those powers should be conferred. In a previous Amendment I endeavoured to press upon the Government the importance at this stage of dealing with the matter experimentally, leaving to the Imperial Parliament to extend the powers hereafter, if those powers which are now conferred were not abused. My right hon. Friend treated that also as a ludicrous Amendment.

MR. W. E. GLADSTONE: I never said so. It is not difficult to quote or misquote my words. I never said that the Amendment of my right hon. Friend was ludicrous.

MR. J. CHAMBERLAIN: In my opinion, my right hon. Friend treated my Amendment as ludicrous—[*Nationalist cheers*—]and conveyed that impression to his friends and allies opposite. I did not quote my right hon. Friend's words, but I said that that was the effect that the words which he had made use of produced upon the minds of his hearers, and he certainly refused to give the Amendment consideration, because he said that if he were to accept it he would be in the position of a man who would lose, whatever happened, and that I was playing the game of "Heads you lose, tails I win." If that is not treating my Amendment as ludicrous, I do not know what is. Now, I come once more to the Amendment before the Committee, and, I ask, is it a ludicrous Amendment? The right hon. Gentleman merely read it out with an ironical intonation, and that was

all the argument which he offered against it. That is his way of dealing with the Opposition. Again and again he has met the serious arguments which we have put forward with no answer, and with nothing but a dramatic expression of opinion. Is it a small or ludicrous thing to propose to give to the Legislative Authority, which is to deal with the interests of 4,000,000 or 5,000,000 of people, what my hon. Friend by his Amendment proposes to give to the Legislature of Ireland? Is it a ludicrous thing that this House should have been occupied for I do not know how many weeks with the powers conferred upon the London County Council? Was it contemptible?—did it deserve what I have called the ironical intonation of the right hon. Gentleman that we should confer upon the London County Council what I have heard described as Home Rule for London? If that was an important subject and deserved the consideration of the House, why is it a ludicrous thing to propose to confer upon the Legislative Authority in Ireland similar powers to those which have been conferred by the House upon the London County Council? The Amendment would give to Ireland all the business connected in our minds with great Municipal Institutions; and I said in this House many years ago, as I say to-day, that Municipal Institutions touch the lives and welfare of the people of this country infinitely more than a vast deal of the business that is done in this House. Under these circumstances, I say, it was unworthy of the Prime Minister to treat this Amendment in the way he has treated it. I have never, either in this House or outside it, doubted the ability of my right hon. Friend. [*Nationalist cries of "Question!" and "Order!"*] I yield to no man in the House in my admiration for the Prime Minister. [*Renewed cries of "Question!" on the Nationalist Benches.*] I am not going to be put down. My admiration for my right hon. Friend is much more genuine than the recently-bought eulogies of hon. Gentlemen opposite below the Gangway. My right hon. Friend has not paid me for my praise. I say my right hon. Friend could, if he chose, make some kind of answer to the arguments adduced, and I

do not know why he should prefer to evade them. I had no intention of taking part in this Debate. I rose only to justify my hon. Friend, whose Amendment is serious and not ludicrous, and was proposed, in the view which my right hon. Friend has recommended to the attention of the House, with a desire to amend the Bill.

MR. DUNBAR BARTON (Armagh, Mid) congratulated the hon. Member for Camlachie on bringing forward such a useful Amendment. Why was that Amendment received with irritation by the Nationalist Members, with rudeness by the Liberal Party, and with impatience by the Leader of the House? It was because the subject of the Amendment was what hon. Members on the Government side had taught the English people to believe was Home Rule. Every man who had spoken on English platforms or mixed with the English people knew that the Amendment contained more than the English people were taught to believe was contained in Home Rule. The Liberals won the Elections on gas and water, and now the gas was exploded and the water had flowed away. The Prime Minister, in answer to the Amendment, said—"You create two Houses, and are you going to give them only such powers as these?" They now knew why the Upper Chamber was put in. It was not as a safeguard for the Loyalists, for it would do the Loyalists more harm than good, but in order to give a false importance to this miserable Legislature. When the Committee appreciated the difference between the Amendment and Home Rule, they would have the reason why the Loyalists were willing to sacrifice their lives and liberties against Home Rule. They opposed the setting up of a Legislature in Ireland; but they would not be justified in offering resistance to a measure embodying the principles of this Amendment. They had no objection to what were called local matters, but which were really very important matters—such matters as were dealt with by Private Bill Legislation in this country—dealt with in Ireland. Many of them were sorry that a Bill in that direction had

not been passed by the late Government; for they believed that it would have led to the circulation of money, to municipal enterprise, and to increased employment, which was badly needed in Ireland. The Unionists would like to see some tribunal set up in Ireland to deal with those matters. But what they objected to was a Bill by which the administration of the Criminal Law was to be handed over to the men who were responsible for the outrages of the National League and the Land League; the law of property was to be handed over to the men who organised and carried out the Plan of Campaign; commercial property in the North of Ireland was to be handed over to the merchant princes of New Tipperary; the taxation of Ireland was to be placed in the hands of the gentlemen who financed *The Freeman's Journal*, and the Executive of the country was to be given into the hands of men who had formed the executive of every criminal conspiracy which had occurred in Ireland during the last 15 years. The Bill was, forsooth, for "the peace, order, and good government" of Ireland! He told them that if they passed the Bill they would have civil war in Ireland, for no free people, with the rights of freemen, would submit to have their lives and liberties and property placed in the hands of such a body as the Bill proposed to set up in Ireland. The Ulster Unionists did not object to the local development of Irish affairs in Ireland. They did not believe those things could be better managed in Ireland than they were in England; but he and his friends would be willing, even at a sacrifice, to have local matters attended to in Ireland. It was the omission of the words, "peace, order, and good government of Ireland," that led him to support the Amendment. He again congratulated the hon. Member on his Amendment, which, like the policeman's lantern, turned upon the criminal, exposed his guilty face, and detected him in the act of his ill-doing.

\*Mr. MADEN (Lancashire, Rossendale) said, that although he was known as the "gas and water" Member—and he was not ashamed of it—he was as good a Home Ruler as any Member of the House. The hon. Member who had proposed the

*Mr. Dunbar Barton*

Amendment supported a Local Authority for dealing with Local Bills. He had no objection to state now that he thought Ireland should have power and authority over local matters. But he went further than that. In his speech some time ago at the Constitutional Club the Leader of the Opposition referred to the seven subjects which he had enumerated as fitting to be referred to an Irish Parliament. If anyone referred to that speech he would find that, as well as gas and water, he mentioned the Land Question and the control of the police as subjects that ought to be referred to the Irish Legislature. He intended to vote against the Amendment, and in so doing he would not be breaking any pledge which he had given his constituents.

MR. A. J. BALFOUR: As I am unwilling to give a silent vote on this Amendment, I will tell the Committee in a few words what my views are concerning it. The hon. Member for Rossendale claims to be as good a Home Ruler as many of the hon. Gentlemen who sit behind the Government. I have not the slightest doubt that that claim is well-founded, though I admit that I am rather surprised at the foundation on which it rests. I was not aware that the hon. Member was known as the "gas and water" Member; but I remember that at a certain celebrated Election he made a speech in which it was generally understood that he had cut down the claims for Home Rule to the kind of subjects mentioned in the Amendment.

\*Mr. MADEN said, that at the meeting to which the right hon. Gentleman referred he was asked by letter at the last moment to mention six subjects upon which the Irish Parliament could legislate. He replied, and stated seven things which he thought could be dealt with by the Irish Parliament, but never said they were the only things.

MR. A. J. BALFOUR: I can assure the hon. Member that I do not wish to lay too much stress on an explanation given evidently under exceptional difficulties; but I think he is more unfortunate than most of us when answering

the questions of our constituents, for, as far as I can make out, of the seven things that he was prepared to give, five of them are mentioned in the Amendment treated so contemptuously by the Prime Minister, and the other two are subjects which the Prime Minister has excluded from the purview of the Bill.

MR. MADEN: They are only excluded for a time.

MR. A. J. BALFOUR: But, passing from the Member for Rossendale, I wish to point out to the Committee that the Amendment consists of two questions—first, what it leaves out, and, second, what it puts in. It puts in those important Municipal Institutions—a policy which I have long advocated. I was the author of a Bill to give to Scotland and Ireland control over Private Bill Legislation, with which so much of the time of the House is, as I think, unnecessarily occupied. But, owing to the determined hostility of hon. Gentlemen opposite, that Bill did not become law. With regard to the more important part of the Amendment—what it leaves out—I have not much to add to what has been said by my hon. and learned Friend. The words which we proposed to leave out—"peace, order, and good government"—seems almost ironical when we see who are to maintain peace, who are to preserve good order, and who are to control the Government. It is impossible for us to forget that if this Amendment is carried it will lead to the possibility of carrying a Bill that will not be a dangerous Bill. It would destroy this Bill. The Government would be compelled to drop the Bill; but that does not make me less reluctant to support the Amendment. For that reason I shall follow my hon. Friend into the Lobby if he presses the Amendment.

SIR F. MILNER (Notts, Bassetlaw) said, he wished to say a few words before the Division, as he understood the Amendment of the hon. Member for Harrow would not be allowed to be discussed. He thought that this Amendment exactly fitted the declarations of hon. Members opposite at the General Election. He had read dozens and dozens of their speeches, and he noticed that in constituency after constituency Gladstonians stated that although the Prime Minister, in his infinite wisdom,

had given them no details, yet Home Rule for Ireland meant simply giving to the Irish people the same privileges of local government which had been given to the English people. He did not believe that a single Gladstonian would get up and deny that that was his definition of Home Rule. [Several supporters of the Government here sprang to their feet and shouted, "We do deny it."] He observed that among those who denied his statement was the noble Lord the Member for Barnsley, but he thought that he would be able to find words in the speeches of the noble Lord which fitted in exactly with the terms of the Amendment.

EARL COMPTON (York, W.R., Barnsley): I should like to meet that challenge at once. I went to Barnsley in 1889 to fight a bye-election. A Liberal Unionist came down to speak against me, and gave it as his reason for doing so that I went further in the direction of Home Rule than either the Prime Minister or the late Mr. Parnell.

SIR F. MILNER said, he would try to furnish the noble Lord with some satisfactory evidence in proof of his assertion. But hon. Members opposite well knew that their definition of Home Rule was giving to the Irish people the same justice as had been given to the English people. Hon. Members did not attempt to reply to the searching arguments addressed to them. The Amendment would, of course, be rejected; but it would serve to show to the country the false pretences on which Gladstonian Members were now representing their constituencies.

MR. PARKER SMITH (Lanark, Partick) said, if the Amendment was ludicrous, as the Prime Minister had described, it followed that the pledges of a good many of the right hon. Gentleman's supporters were also ludicrous. The statement applied to a great many hon. Gentlemen—it was a matter of common notoriety. Most hon. Members who had to conduct a contest with Gladstonians in the country would support him in saying that the tendency was to minimise all that was to be done. The right hon. Gentleman the Prime Minister himself stated in June last in Edinburgh that one of the main principles upon which he proceeded was that what was

to be done for Ireland should be of such a nature that it might also be done for the other parts of the Kingdom. That was the line which the right hon. Gentleman and a great number of his followers in different parts of the country adopted. As he had been challenged, he would give examples. The hon. Member for Mid Oxfordshire said—

"The Parliament in Ireland should have full power to legislate on purely Irish affairs, subject to the veto of the Imperial Government."

The hon. Member for Accrington said—

"The Irish Parliament will have legislative and executive powers in respect of matters exclusively Irish, subordinate to the Imperial Parliament."

These were by no means the strongest examples that could be quoted. What he claimed in regard to this particular Amendment was that it embodied the view which the Opposition would accept if it were taken by the Government. They were perfectly ready to give to Ireland those powers of Local Government which had been granted to other parts of the United Kingdom.

\*THE CHAIRMAN: The Question is—

MR. AMBROSE (interrupting): There was an Amendment further down on the Paper in my name which I understand may be cut out if you put the whole words included in the present Amendment. I ask you to adopt the course usually adopted when it is desirable to save Amendments lower down by putting only the word "the" in the first instance. I claim that by the usages of Parliament I am entitled to that.

MR. J. MORLEY: On the point of Order, I submit that the words "peace, order, and good government" are, in fact, language of common form, and, therefore, must be put together.

MR. BARTLEY: May I draw attention to the fact that there is a subsequent Amendment to leave out the word "peace" and another to leave out "order"? Can those three words be considered as language of common form?

MR. T. M. HEALY (Louth, N.): Have you not put the Question from the Chair; what is the Question before the Committee?

*Mr. Parker Smith*

\*THE CHAIRMAN: In answer to the first objection, the word "the" is part of the Bill and no part of the Amendment, and is in possession of the Committee. It would not help the hon. and learned Gentleman if I put the word "the." "Peace, order, and good government" is a common form, and it is a form which is universal for this purpose; and, therefore, I propose to put the Amendment thus—to leave out the words "peace, order, and good government of Ireland," in order to insert the words of the Amendment—

"Making, maintaining, and improving of railways, tramways, canals, waterworks, reservoirs, gas and lighting works, fisheries, and all other things which are the subject matter of Bills, known in either House of Parliament as local Bills, and also for the confirmation of Provisional Orders in."

MR. AMBROSE: May I ask, Mr. Chairman, whether or not, when those words have been passed, I shall be precluded from moving my Amendment, proposing to transfer matters of local government?

\*THE CHAIRMAN: I think that the hon. and learned Gentleman will be excluded if the Committee accept the words "peace, order, and good government."

MR. AMBROSE: Mr. Mellor, may I ask on what grounds you rule this. My Amendment does not deal merely with local government, it deals with the Central Government; and surely peace, order, and good government equally appertain to that.

SIR J. GORST (Cambridge University): Am I not right in saying it is the usage of the Chair to put the question, if possible, in such a way as to include only the particular Amendment before the Committee, and not shut out any subsequent Amendment if it can possibly be preserved? What I mean is that if the Chairman puts the Question that the word "the" stand part of the clause, and it is resolved in the affirmative, an opportunity will be left for the hon. Member to propose the Amendment of which he has given notice.

SIR W. HARCOURT: I wish to ask, for the information of the Committee, what is the Question which the Chairman is about to put?

\***THE CHAIRMAN**: What I propose to put is that the words "peace, order, and good government" stand part of the clause. If I were to put the question that the word "peace" alone stand part of the clause it would shut out the hon. and learned Gentleman quite as much.

Question put.

The Committee divided :—Ayes 296 ; Noes 251.—(Division List, No. 86.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again To-morrow.

#### RAILWAY RATES AND CHARGES.

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. MUNDELLA, Sheffield, Brightside) moved—

"That a Select Committee be appointed to inquire into the manner in which the Railway Companies have exercised the powers conferred upon them by the Railway Rates and Charges Order Confirmation Acts, 1891 and 1892, and to consider whether it is desirable to adopt any other means of settling difficulties arising between the Companies and the public with respect to the rates and conditions of charge for the conveyance of goods, and to report what means they recommend :

"That the Committee do consist of nineteen Members :

"That Sir Michael Hicks-Beach, Mr. Burnie, Mr. John Ellis, Mr. Field, Sir Julian Goldsmid, Mr. Hanbury, Mr. Hickman, Mr. Hunter, Mr. Jacks, Mr. Jackson, Mr. Patrick M'Hugh, Mr. Mitford, Mr. Mount, Sir Joseph Pease, Mr. David Plunket, Sir Albert Rollit, Sir Bernhard Samuelson, Mr. Shaw Lefevre, and Sir James Whitehead be Members of the Committee :

"That the Committee have power to send for persons, papers, and records :

"That Five be the quorum."

Several hon. Members objected to the Motion.

Mr. MUNDELLA hoped the objection would not be persisted in. If any objection was taken to the names they should be put down as a first Order on Thursday ; but he trusted the House would agree to the Reference to the Committee, at any rate.

SIR M. HICKS-BEACH (Bristol, W.) considered that the sooner this Committee was agreed to the better ; but he certainly should object to a Reference being taken without the names.

Mr. MUNDELLA should be very happy if they could proceed with the

names that night. ["No, no !"] He agreed with the right hon. Gentleman that the sooner the Committee was appointed and got to work the better. They had arranged the names with both sides of the House.

MR. W. JOHNSTON said, the constitution of the Committee seemed to be a studied insult to Ulster, as there was not a single Member on it from Ulster. He objected to it on that account.

MR. MUNDELLA could only say that Members sitting on both sides of the House had nominated their full share of Members.

\*MR. T. W. RUSSELL (Tyrone, S.) considered it rather an extraordinary thing that the part of Ireland most interested in railway rates had been totally excluded from representation on the Committee, and he should object to it until such a condition of things was remedied.

MR. T. M. HEALY (Louth, N.) desired to know whether the names of the Conservative Members had not been nominated by the Conservative Whips ?

**THE SECRETARY TO THE TREASURY** (Mr. MARJORIBANKS, Berwickshire) said, the Committee had been nominated in the usual manner, and had been the subject of a good deal of discussion of a friendly character.

**COLONEL HOWARD VINCENT** (Sheffield, Central) considered that the President of the Board of Trade ought certainly to serve on the Committee.

SIR JAMES WHITEHEAD (Leicester) expressed the hope that the Reference to the Committee would be agreed to, and then the names could be taken on Thursday.

MR. HUNTER (Aberdeen, N.) remarked that if hon. Members objected to this Reference they must be prepared to stand before the constituencies of this country as doing their utmost to prevent traders getting that justice which the House had declared they were entitled to.

MR. BARTLEY (Islington, N.) said, what he and other Members felt was this — that the whole legislation of the United Kingdom was being neglected for Ireland. The Government had got the whole time of the House, and yet they would not agree to grant them an hour for the discussion of



this important subject. It was a matter which ought to be considered at a reasonable hour, and the interests of the whole country ought not to be sacrificed for the Irish Question.

SIR A. ROLLIT (Islington, S.) reminded the House that he withdrew his Motion on the subject on the distinct understanding that after Easter the Committee should be nominated. The usual course had been pursued in regard to the Committee, and he appealed to the House to allow the Motion to be passed. This was a matter affecting the vital interests of the country. There was apparently little time for dealing with it, and he hoped the Motion would not be objected to.

MR. COHEN (Islington, E.) considered that the right hon. Gentleman ought not to be surprised that objection was raised against the proposal to pass this Motion after 12 o'clock at night. If on another night the Government would consent to adopt the suggestion of the hon. Member for North Islington (Mr. Bartley) and report Progress on the Home Rule Bill at 11 or a quarter past, the question of the appointment of this Committee could easily be disposed of before 12 o'clock.

MR. MUNDELLA could not promise to accede to the suggestion of the hon. Member. A course such as he recommended had been tried the other night, in order to facilitate the progress of the North Sea Fisheries Bill, and the only result was that the Bill was talked out. As the Motion before the House was objected to, he would put it down again for next day. The responsibility for this and any subsequent delay must rest with hon. Members who continued to object.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) wished emphatically to deny that any arrangement was made publicly in any way with regard to the North Sea Fisheries Bill. If there was any arrangement at all it was some private arrangement.

Objection being taken, the consideration was deferred.

#### MESSAGE FROM THE LORDS.

That they have agreed to,—Public Libraries Act, (1892) Amendment Bill, with Amendments.

*Mr. Bartley*

#### PRISON OFFICERS [SUPERANNUATION] (NO. 2) BILL.

Resolution [12th May] reported, and agreed to:—Bill ordered to be brought in by Mr. Secretary Asquith and Mr. Herbert Gladstone.

Bill presented, and read first time. [Bill 359.]

#### PROVISIONAL ORDER BILLS. (NO STANDING ORDER APPLICABLE.)

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, referred on the First Reading thereof, no Standing Order is applicable, namely:—Local Government Provisional Orders (No. 10) Bill; Railway Rates and Charges Provisional Order [Cranbrook and Paddock Wood Railway, &c.], Bill.

Ordered, That the Bills be read a second time To-morrow.

#### PROVISIONAL ORDER BILLS. (STANDING ORDERS APPLICABLE THERETO COMPLIED WITH.)

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Orders which are applicable thereto have been complied with, namely:—Housing of the Working Classes (Edinburgh) Provisional Order Bill.

Ordered, That the Bill be read a second time To-morrow.

#### PROVISIONAL ORDER BILLS. (STANDING ORDER APPLICABLE THERETO COMPLIED WITH.)

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, referred on the First Reading thereof, the Standing Order which is applicable thereto has been complied with,—namely: Local Government (Ireland) Provisional Order (No. 4) Bill; Pier and Harbour (Provisional Orders (No. 3) Bill; Water Provisional Orders (No. 2) Bill.

Ordered, That the Bills be read a second time To-morrow.

House adjourned at twenty-five minutes after Twelve o'clock.

## HOUSE OF LORDS,

*Tuesday, 16th May 1893.*TRIMLESTOWN PEERAGE (CLAIM TO  
VOTE FOR REPRESENTATIVE PEERS  
FOR IRELAND.)

Report from the Committee for Privileges, that Charles Aloysius Barnewell had made out his claim as Baron Trimlestown to vote at the elections of Representative Peers for Ireland; read, and agreed to; and resolved and adjudged accordingly. The evidence to be printed. (No. 99.)

## MADRAS AND BOMBAY ARMIES BILL.

(No. 66.)

## COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee upon the said Bill."—(*The Earl of Kimberley.*)

\***LORD CONNEMARA** said, he was anxious, with their Lordships' permission, to state his reasons for giving to the principle of this Bill his humble, but cordial, support, particularly with respect to those provisions which affected the Government and Army of Madras. He need hardly remind their Lordships that the Madras Army had an historical record of an interesting and remarkable character. By the bravery and loyalty of that Army under Lord Clive, Sir Eyre Coote, and the Duke of Wellington, the supremacy of Great Britain was firmly established in the whole of the Southern Peninsula. The battles fought under those great Commanders were fought not only against very brave native soldiers, but against European troops, and under the most able French General whom France ever sent to India. The result of those campaigns was to add to the sway of the British Crown nearly 30,000,000 of people, and to establish a peace throughout the whole of that great territory, which had lasted now for very nearly 100 years. Coming down to modern times, it would be in the recollection of their Lordships that the Madras

Army stood firm to its allegiance, and bore a distinguished part during the great Mutiny; and it was owing, to a great extent, to the gallantry of that Army that peace was restored in Northern India, while entire tranquillity prevailed during those terrible times in the South of India. Under those circumstances, he was sure their Lordships would desire that full justice and consideration should be shown to the sentiments and feelings of the Madras Army in those changes which their Lordships might think wise to sanction with respect to our Military Forces in India. The Papers on their Lordships' Table showed beyond doubt that the whole condition of affairs with respect to military defence had altered in recent times not only since the Afghan and Punjab Wars, but still more recently. Those who had been connected with the Foreign Office at any time during the last 20 years could not fail to be impressed with the gravity of those events which had taken place in Central Asia. With regard to our trans-Indus frontier, those who had had an opportunity of studying on the spot even with a civilian's eyes the great system of frontier defence; and the changes and reforms which had lately been introduced into the Military and Civil Administration by Lord Dufferin, Lord Lansdowne, and by the untiring energy and genius of Lord Roberts in our trans-Indian territory, could not fail to be deeply impressed with the enormous importance of the problems which our Army might one day be called on to solve without much warning. Again, the annexation of Upper Burmah had made a great alteration in military affairs in that quarter, and had changed altogether the status of the Commander-in-Chief of Madras. It was essential that the conduct of war should be with the Government of India; so Upper Burmah was placed under the direct control of the Government of India, and Lower Burmah under the military jurisdiction of the Government of Madras. Another great change had taken place in India with reference to the frontier tribes between Burmah and Bengal. The extension of the Empire in Burmah had brought under our rule new races who might be expected to contribute their quota to the defence of the Empire. Further, the creation and extension of

railroads and telegraphs had not only changed, but revolutionised every factor in every military question in India. As an illustration of that, he might state that when the East Coast line, which was begun four years ago, was completed, and which he trusted would be pushed forward with vigour, Madras and the whole of the South of India would be in direct railway communication with Calcutta and the North-West, when materials and troops could be moved in safety from Cape Comorin to Lahore in a very few days. Under these circumstances, he fully recognised the wisdom of giving to the Commander-in-Chief in India that direct command and authority over the five armies of which the Indian Forces were composed, and which the Government of India had been struggling to obtain for the last ten years, so long as men of the different Indian races were kept segregated, which he believed to be the principle and intention of the Bill. As a matter of fact, he did not perceive that there was any great novel principle involved in the Bill which could affect the Sepoys or the Armies of India, for the Government of India could now, without the authority of Parliament and without the consent of the Madras Government, do most things affecting the welfare of the Madras Sepoys and the organisation and efficiency of the Madras Army that could possibly be imagined, very much to the benefit of the Public Service. During the last five years it had amalgamated the Transport, the Commissariat, and the Clothing Departments. It had abolished whole regiments; it had changed three regiments of Madras Infantry into Burmah Police, and recruited them with men from the North. He was far from thinking that the Government of India had been wrong in these changes. Therefore, this Bill only dealt with a remnant of those changes which required the authority of Parliament—changes which had been in progress and active operation for some years. He could not see in this Bill anything which could in any way injuriously affect the Madras Sepoy. On the contrary, he inclined to think that when the Commander-in-Chief in India obtained direct supervision of the Madras Army in common with the other Armies of the Indian Empire, the position of the Sepoy would be improved,

*Lord Connemara*

and, what was more important, the efficiency of the Madras Army would be improved. Some people had thought there was, and had been for a long time, room for improvement in the Madras Army. He did not wish to dwell on the causes which had led to the loss of *prestige* by the Madras Army of late years in some particulars and in some classes. Amongst these causes might be mentioned the family system, which was a system that undoubtedly made the Sepoy contented and loyal, but was one which no one could say contributed to the efficiency or the mobility of the Army. Another cause to which sufficient attention had not been paid of late years was the classes from which the Army had been recruited. All Military Authorities agreed in thinking that the Madras Sapper was an excellent soldier, who had done good service in many parts of the world, and there was no reason why that corps should not be largely increased. The same might be said of the Madras Pioneers; and other regiments and other races from which those regiments were recruited might be mentioned of which the same things might be said. He wished to allude to the lamented and tragic death of General Sir James Dormer, than whom no more popular Commander-in-Chief ever ruled in India. For more than a year before his death this question of recruiting had been under that officer's consideration. A scheme, he believed, had been drawn up, and was to be found in the Madras Military Department for recruiting soldiers from among the more warlike races in India; and it was to be hoped that General Dormer's policy would be continued by his successor. He wished to say a word respecting the clause in the Bill which deprived the Governor's Council of the services of the General commanding the troops. He regretted that proposal, and he did not understand the Secretary of State to attach much importance to its retention, while he was quite sure that the change was undesirable, and hoped that the Secretary of State would see his way to erase it from the Bill. Every Governor must wish that his Council should be as strong as possible, and would, he should think, deplore the loss of an officer of the rank and ability of the Commander of the Army; and he could conceive a *st* of things in

which the presence of that officer in the Council would be eminently useful. In the event of a political disturbance which rendered it necessary that troops should be sent to the scene of disorder, it would be highly desirable that the Military Authority should understand the political or other reasons why the troops were sent. On the whole, he trusted that this Bill would raise the Madras Army to a state of efficiency; and he trusted that no time would be lost in giving to the Government of India an opportunity of carrying the proposed reform into operation. He hoped most sincerely their Lordships would pass the Bill, and that it would be passed in the other House of Parliament without delay; because he was quite sure, if it had not been for the exigencies of modern political life, it would have been passed some time ago.

Motion agreed to.

House in Committee accordingly.

Clause 1.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of Kimberley): My Lords, I have some Amendments upon this clause to meet a criticism which has been made as to the wording of the Bill. I find, as I expected, that the present form arose in this way. There is a definition in the Act which says that the Governor shall mean the Governor in Council; but I think it will be better to make it quite clear in the Bill, and these Amendments will leave the matter without the slightest doubt. They are really all verbal in that sense, and all upon the same subject.

Moved in Clause 1, page 1, line 16, after ("exercised") to leave out ("and") and insert ("by those Governors in Council, and shall be exercisable by the Governor General of India in Council"); in line 18, after ("Governor") to insert ("in Council"), in line 19, after ("India") to insert ("in Council").—(*The Earl of Kimberley*.)

Amendments agreed to.

VISCOUNT CROSS: My Lords, in Clause 1, page 1, line 22, I have put down an Amendment, after "shall," to insert "not"; but I think the Amendment would be better carried out if the word "cease" is left out, and "continue" inserted. I will not take up your Lord-

ships' time further upon it now, because the matter was argued the other day, and I hope the Government will not object to that Amendment.

THE EARL OF KIMBERLEY: Perhaps as this involves, in point of fact, the principle of the next Amendment, the noble Viscount would prefer to take the discussion upon that now.

VISCOUNT CROSS: I did not think I need state the reasons again. I thought it was clearly understood the other day.

THE EARL OF KIMBERLEY: I did not know whether the noble Viscount had anything more to say upon it.

VISCOUNT CROSS: No.

Moved, in Clause 1, page 1, line 22, to leave out the word ("cease") and insert ("continue"); and in line 23, after ("respectively") add ("the officers commanding the forces in the Presidencies of Madras and Bombay may be appointed members of council at the said respective Presidencies in the same manner as, and subject to the provisions under which, the Commander-in-Chief in the said Presidencies has hitherto been appointed").—(*Viscount Cross*.)

THE EARL OF KIMBERLEY: My Lords, the first Amendment, although not in terms, really involves the principle of the second Amendment of the noble Viscount, and the one may be said to hang upon the other. Of course, I fully admit that in this House there is a very strong unanimity of opinion on the part of those noble Lords who have spoken in favour of retention of the Generals commanding the Armies of Madras and Bombay upon the Councils of these Presidencies. But I think hardly sufficient weight was given to the arguments which may be put forward upon the other side; and in reference to what was said just now by the noble Lord who spoke upon going into Committee, and who has himself a wide experience in the working of these matters, I would point out, when he speaks of the action of the Governments of Madras and Bombay in military matters, he must not forget that the very object of this Bill is to preclude those Governments from the management of military affairs. It may, undoubtedly, be the case that occasions will occur upon which the Governments of those Presidencies may have to call in the assistance of the Military Authorities, and in that way military affairs might have to be discussed by those Councils; but the very principle of the Bill is that those powers will cease to be exercised. What

is felt is that there would be a considerable anomaly in the Generals commanding those Forces remaining upon the Councils when the questions upon which they would presumably require to be consulted are removed from the control of the Governments of those Presidencies. And I must also point out that if the system is carried into effect of dividing the Armies of India into four different Divisions, which, without anticipating the final decision, I may say will probably be the case, that is the Army of Bombay as at present constituted, the Army of Madras and the Bengal Army in two Divisions, the actual position of the Commanders of the Bombay and Madras Armies will be of as great importance as that of the Commanders of each of the Divisions of the Bengal Army. Therefore, by their retention, you would have this inconvenient result—that you would have the Commanders of two, not the most important of the four Armies, occupying a higher position than the other Commanders by their being Members of the Councils. There is also the question of salaries, for they would be receiving, of course, higher salaries than would otherwise be allotted to them. That, too, would be a point which would seem likely to give rise to some jealousy, and which might cause a feeling of inequality between the Generals in command of the different Forces. All these are arguments which are worthy of considerable weight being given to them. I would further observe that there is considerable apprehension on the part of those who have taken a different view in this matter to that which appears to be generally held in this House, that the position of Lieutenant Generals in Bombay and Madras might lead to certain friction between those Lieutenant Generals and the Commander-in-Chief, because they would occupy a somewhat anomalous position, as I said before; and that might occasion difficulties which would not otherwise arise. For these reasons, I certainly, upon the whole, prefer the clause as I had drafted it; but, considering the very strong opinion which has been expressed in this House by many of your Lordships, all having experience in this matter, I shall certainly not now trouble the House to divide upon these Amendments; but, at the same time, I

*The Earl of Kimberley*

must reserve my liberty of action in the future stages of the Bill.

VISCOUNT CROSS: I do not think I need detain your Lordships by answering at any length the observations of the noble Earl. I quite understand what were the views expressed the other day when I spoke on this matter; but I still think the balance of convenience is on the side of the Amendments I have proposed. In answer to the noble Earl's suggestion as to inequality in position, I would point out that the Commander-in-Chief will, of course, always be on the Governor General's Council; and, therefore, as far as the two Armies of Bengal are concerned, he will represent those Commanders.

THE EARL OF KIMBERLEY: It was originally proposed to exclude him.

VISCOUNT CROSS: I hope that will not be done. Then, as regards friction on the part of the Commanders in Bombay and Madras, there can be nothing of that kind, because they are placed under the Commander-in-Chief. The Councils of Madras and Bombay are very small; and I think, therefore, it would be very objectionable to remove these officers, who, I think, will be still of very great use on those Councils.

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 2, 3, and 4 agreed to.

Schedule.

VISCOUNT CROSS: My Lords, with regard to the Schedule, the noble Earl will, I am sure, excuse me if I ask him a question. I have not put down any Amendment in the particulars given here; but they do, I think, require very careful examination. I hope the noble Earl will assure us that they have been carefully examined.

THE EARL OF KIMBERLEY: I am able to inform the noble Viscount that they have been most carefully examined. I may say that I have gone through every one of the Acts myself, personally, and I believe I have ascertained that no alteration or Amendment is required in the Schedule. Of course, if there should be any mistake discovered there will be an opportunity of correcting it.

THE EARL OF NORTHBROOK: Perhaps the noble Earl will state what is the reason why several clauses which

have been recommended by the Governor General of India to be repealed are not included in the Schedule?

**THE EARL OF KIMBERLEY :** I am afraid I cannot answer that question at this moment; but I will endeavour to give an answer to it in the future stages of the Bill. I can only say again that every one of the clauses affecting this matter has been carefully examined, and that I have every reason to believe that every one which requires to be repealed has been included.

Schedule agreed to.

Bill reported, with Amendments.

House resumed.

**THE EARL OF KIMBERLEY :** My Lords, I do not think this is a Bill which need go to the Standing Committee.

**THE MARQUESS OF SALISBURY :** Are you quite sure?

**THE EARL OF KIMBERLEY :** I think it is unnecessary.

**THE MARQUESS OF SALISBURY :** I would point out to the noble Earl that it is a Bill with a good deal of detail in it.

**THE EARL OF KIMBERLEY :** I have no objection if the noble Marquess thinks it desirable.

**THE MARQUESS OF SALISBURY :** It is only that I think it would be unwise to run any risk, and it will not be looked after in the other House a bit.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 100.)

#### CHOLERA HOSPITALS (IRELAND) BILL (No. 40.)

##### THIRD READING.

Bill read 3<sup>a</sup> (according to Order).

**LORD ACTON** said, this Bill was substantially an old Act of Parliament which was very familiar to both Houses. When it came before the Standing Committee the noble Marquess opposite suggested that it might be made more prompt and easy of operation; and accordingly Amendments had been drafted to the 1st clause with the approval of the Irish Government. He hoped and believed they would answer the purpose the Marquess of Salisbury had in view. As the Amendments were consequential and were in the hands of noble Lords, he would read the clause as it would now stand—

"Upon the publication in *The Dublin Gazette* of an Order made by the Lord Lieutenant in Council declaring that a case of the infectious disease known as spasmodic or Asiatic cholera has occurred in Ireland, the authority of any sanitary district, having first obtained the permission in writing of the Local Government Board for Ireland (hereinafter called 'the Local Government Board'), and given such notice as is prescribed in this Act, may take possession of any site, except as hereinafter mentioned, within or contiguous to that sanitary district, and specified in such written permission for the purpose of erecting thereon a temporary hospital."

Amendment moved,

In Clause 1, page 1, to leave out line 5 and insert ("upon the publication in *The Dublin Gazette* of an Order made by the Lord Lieutenant in Council declaring"); in line 7 to leave out from ("occurred") to ("the authority") in line 8 and insert ("in Ireland"); in line 8, leave out the second ("the") and insert ("any"); and in line 13, leave out ("the") and insert ("or contiguous to that").—(*The Lord Acton*.)

**THE MARQUESS OF SALISBURY :** That appears to me, as far as I can judge, to meet the objection which I found to arise.

Amendment agreed to.

Bill passed, and returned to the Commons.

#### THE STRENGTH OF THE NAVY.

##### RESOLUTION.

\***LORD HOOD OF AVALON** moved to resolve—

"That taking into consideration the extreme importance of the vast interests in connection with the British Empire, which in time of war must be protected by the Navy, also the rapidly-approaching completion of the vessels building under the Naval Defence Act, and the very large increase which has been undertaken in the strength of foreign navies since the passing of that Act, it has become absolutely necessary that a further well-considered progressive scheme, extending over a term of years, for making such an increase to the strength of the Navy as will insure adequate protection being given to the vast interests of the Empire, should be prepared and provided for."

He said that the extreme importance of the subject set forth in his proposed Resolution would, no doubt, be considered a sufficient reason for bringing it before the attention of their Lordships. What were those vast interests which could only be protected by the Navy? They were, first, the protection of our own coasts; secondly, our valuable Possessions abroad; thirdly, our commerce on the high seas, the average value of which afloat at any moment was esti-

mated at £150,000,000 sterling; and, lastly, but by no means least, the protection of our coaling stations and sea-borne food supplies. It was by no means over-stating the case to say that, in the event of this country being engaged in war with a powerful enemy or combination of enemies strong on the sea, its very existence as a first-class Power must depend upon having a powerful Navy thoroughly ready for war. In time of peace our sea-borne food supply was an important question for us; but if, through false economy, the Navy was again allowed to fall into a weak condition—which God forbid!—and this country was suddenly involved in war with a first-class Naval Power, or possibly with more than one Naval Power, our food supplies would be materially interfered with—nay, possibly cut off—in which case but very few months would elapse before we should have a famine throughout the country, and we should be simply starved into signing an inglorious peace with the enemy on their own terms. The strength of the Navy should never be made a controversial Party question. It was the bounden duty of all legislators, whatever their political views on other subjects, to unite in insisting that the Navy should be maintained at such a standard of strength as would insure adequate protection being given to the vast interests of this Empire. Then, and then only, should we be free from those panics which had hitherto occurred whenever a scare of war arose. He well remembered the anxiety which arose throughout the country in the early part of 1885, when the relations between Russia and this country were in a very strained condition, from fear that the Navy was not prepared for war, and how money was spent broadcast in the endeavour to provide hurriedly, and therefore inefficiently, for the deficiency. When at that time, having been appointed by Lord George Hamilton First Naval Lord of the Admiralty, it became his duty to look closely into the real state of the Navy, he formed a very decided opinion that we were not prepared to engage in war with a single first-class Naval Power with a well-assured certainty of success. The real state of the Navy at that time was this. We were decidedly deficient in

battle-ships; our cruisers were far too few in number, and far too deficient in speed, to enable them to protect our commerce on the high seas; we had no first-class gunboats suitable for foreign service, not a single fast torpedo vessel, and very few torpedo boats. When the Conservative Government came into Office in 1885, steps were at once taken to remedy that state of things. Fifteen new vessels were commenced, including two first-class battle-ships, the *Nile* and the *Trafalgar*. Their successors in Office very wisely did not attempt to interfere with their building programme; but no additional vessels were commenced. From that time up to 1889, every endeavour had been made by the late Government to increase the strength of the Navy, so far as it could be done without largely increasing the Naval Estimates. At the end of that time, looking at the very large increase in the strength of Foreign Navies, the late Government most wisely decided to increase the strength of the Navy as rapidly as possible, and to raise it to a standard that should be equal, if not superior, to that of any two Foreign Navies in combination. With the building of the 70 vessels resolved upon under the Naval Defence Act great progress had been made, a large proportion having been completed; and they had passed their trials in a most satisfactory manner. As regarded rapidity of construction, he might give the instance of the *Royal Sovereign* of over 14,000 tons displacement, which within two years and eight months of its being commenced was commissioned as flagship of the Channel Squadron, a rapid feat of ship-building, which had never been approached either in this or any other country, and for which the highest credit was due to her designers and the whole of the officials connected with her construction. But since the passing of that Act a large increase had been commenced and was being rapidly proceeded with in the strength of Foreign Navies, especially in the case of France and Russia. In France five first-class battle-ships and four so-called coast defence vessels, which, for size, speed, and armour protection, might fairly be classed as battle-ships, were building; also five powerful armoured cruisers, 15 other protected cruisers, and five exceedingly

fast torpedo gun vessels—a total increase of 34 vessels. In Russia, six first-class and one second-class battle-ships were building; also four armoured coast defence vessels and three of by far the most powerful armoured cruisers in the world, and six exceedingly fast torpedo gunboats—a total increase of 20 vessels; and both France and Russia combined an increase of 54 vessels, of which no less than 16 were battle-ships, four very powerful armoured coast defence vessels, and eight exceedingly powerful armoured cruisers. In order that our vast interests might be duly protected in time of war in future, he held it to be absolutely necessary that there should be a further well-considered progressive scheme extending over a term of years for increasing the strength of the Navy. In the Navy Estimates for 1892-3 Lord George Hamilton stated that provision was only made for commencing three battle-ships and building 10 torpedo boats in that year, and he added that in 1893-4 he should be prepared to bring forward a very largely-extended programme. Unfortunately, however, events had since occurred to interfere with that intention of the noble Lord; but he had sincerely hoped the noble Earl, his successor, would follow the same wise policy, and that they would have found that provision had been made for increasing the strength of the Navy in battle-ships, cruisers, and torpedo gunboats, to the extent necessary for the protection of the vast interests of this great Empire, looking at the large increase of the naval strength of foreign nations. Of these three classes of vessels he thought an increase of battle-ships was the first and most important point to consider, for there could be little doubt that the fate of future wars would be decided by that class of vessel. Fast cruisers were of great value in the protection of commerce; but they could not perform the fighting duties of battle-ships. They could be built in half the time, and could be largely supplemented when necessary by our large and fast mercantile steamers, and he was glad to say that a number of the best of these vessels had been subsidised by the late Government to act as cruisers in time of war. Armaments had been provided for them and fighting crews arranged. Torpedo boats would be of extreme value in any future war for protecting our ports and for

protecting our commerce in the Channel from the swarms of torpedo boats which had been organised and arranged in groups all along the opposite Coasts. He had carefully examined the Estimates for the present year, but could find in them no trace of any such progressive scheme for increasing the Navy as he advocated. A certain programme had been laid down; but it was a very meagre one, though he had no fault to find with the class of vessels decided upon. They had wisely resolved to build two very large first-class cruisers, and this step had been rendered necessary in consequence of Russia building three of the most powerful armoured cruisers in the world—vessels which would be far superior in size, speed, armament, and coal-supply to any cruisers ever before built by any other country, and in time of war it was certain they must prove most formidable commerce-destroyers; and in this country, with our enormous commerce on the high seas, it was therefore absolutely necessary that we should build a certain number of still more powerful cruisers to protect our commerce from the attacks of such vessels. He trusted that when the Estimates for 1894-5 came to be considered—by which time the whole of the vessels building under the Naval Defence Act would be completed—they would find, whatever Party was then in power, that a comprehensive and progressive scheme for increasing the Navy to the necessary extent for providing adequate protection for our vast interests had been decided upon. If this was not done, through any consideration of false economy, then the British Navy, looking to the increase of Foreign Navies, would fall back into a state of comparative weakness, with regard to the vast interests which must be entrusted to its protection in time of war, such as it was in when the late Government took Office in 1885. During the time the late Government was in Office they increased the strength of the Navy by 130 vessels, including 18 of the most powerful battle-ships in the world, 69 fast and powerful cruisers, 17 gunboats of over 700 tons each for foreign service, and 31 fast torpedo gunboats. A remarkable advance was made in the same period in the speed of the vessels of the Navy. In 1885, when the late Government came into Office, the number of



ships built and building, torpedo-boats excluded, having a speed of 15 knots and over was 49; in August, 1892, when the late Government left Office, the number had been increased to 148. In 1885 the number of vessels built and building, excluding torpedo-boats, with a speed of 18 knots, was five; in 1892 there were 86. He had no hesitation in saying that the wise policy pursued by the late Government in making this large increase to the strength of the Navy, in fortifying our coaling stations abroad, and, in conjunction with our Australasian Colonies, providing a squadron of powerful cruisers for the protection of trade in those waters, had, in so far as the Navy was concerned, placed this country in a far better state of preparation for war than it had been in at any former period during his recollection, and therefore merited the confidence and gratitude of all classes of the country, irrespective of Party. He hoped the strength of the Navy would never in future be made a controversial Party question, but that statesmen of all Parties would unite in insisting that the Navy should be maintained at the strength that was necessary to protect the vast interests of an Empire on which the sun never sets. He begged to move the Resolution of which he had given notice.

Moved to resolve,

"That taking into consideration the extreme importance of the vast interests in connection with the British Empire, which in time of war must be protected by the Navy, also the rapidly approaching completion of the vessels building under the Naval Defence Act, and the very large increase which has been undertaken in the strength of foreign navies since the passing of that Act, it has become absolutely necessary that a further well-considered progressive scheme, extending over a term of years, for making such an increase to the strength of the Navy as will insure adequate protection being given to the vast interests of the Empire, should be prepared and provided for."—(*The Lord Hood of Avalon.*)

\***LORD SUDELEY** said, he had also a Notice on the Paper on the subject of the condition of the Navy—namely, to ask the First Lord of the Admiralty whether his attention has been called to the important evidence given before the Select Committee, presided over by the present Secretary of State for War, on Naval Estimates in 1888, by the then First Naval Lord, to the effect that no

complete scheme before the Admiralty from the financial opinion of responsible strength of the duties it may perform. He doubt that a would carry us condition was Defence Act, which had had a most ing up the Navy adequate to what country demanded was still very cruisers to what interests of the considered. The Navy would have war in guarding lines of communication miles, over which continually passed large number of now informed by the Senate that France their should in the next £4,000,000. The £2,500,000 of Revenue Expenditure of the enormous total. It had been laid an undisputed part of our Navy, so far as concerned, equal as Russia and France. In case, it was clear programme must considerably increase that so long as the head of the Admiralty Office, after the which he had received was no fear but the utmost to keep efficient; but they different opinions what the number be, that he thought important to know had any definite by their skilled altogether from the What the public not whether the many ships as allowed, but how many

*Lord Hood of Avalon*

required to meet the necessities of the country in time of war. The Committee on Naval Estimates in 1888 declared in their Report—

“That the responsibility of the Board of Admiralty and Government, respectively, for the efficiency of the Navy would be more clearly defined and accentuated if the wants of the country were carefully considered, and a programme drawn up and submitted by the First Lord, on behalf of the Board, to the Cabinet before any decision is taken as to the amount of money to be spent during the year.”

He wished to know whether any such programme had been drawn up; and, if so, whether there would be any objection to laying it on the Table of the House? He did not believe that there would be any difficulty in obtaining as much money as was really required to render the Navy as efficient as it ought to be; and he held that it was a fatal policy to keep the nation in the dark. Whilst he was delighted that the noble Lord opposite had brought forward this Motion, with all his great authority and experience, he was bound to say that he was not a little surprised to see the Notice standing on the Paper in the noble Lord's name. It was impossible not to carry one's memory back to the year 1888, when the noble Lord (Lord Hood of Avalon) was the First Naval Lord at the Admiralty, and when he gave evidence before the Committee on Naval Estimates, presided over by Mr. Campbell-Bannerman. At that time it was a grave question whether the Navy was thoroughly efficient for the demands which in war-time it would be called upon to meet. Lord Hood was naturally one of the principal witnesses called before the Committee, and in his evidence he distinctly stated before that Committee that he was quite satisfied with the state of the Navy, that it was ample to fight any one Power, and that all was required would be six more cruisers to be finished in the year 1890. He was asked after speaking about battle-ships—

“Do you think we are building them sufficiently fast, or procuring them sufficiently fast?—As I said before, I should like to have a few more fast cruisers.

“You said, did you not, that you were only fairly well satisfied with the adequacy of the Estimates?—I was speaking of the fast cruisers. As I said half-a-dozen times before, I should have preferred by the end of 1890 to have had six more fast cruisers. I do not consider it a point of vital importance.

“But you are satisfied with everything else?—Yes, I am.”

It was possible, of course, that when the noble Lord gave that evidence, he felt himself tied and bound by official restraint, and that he did not utter his own untrammelled opinion and unfettered judgment. The Navy was astonished at the evidence that he gave, because it was so totally at variance with the feelings and exigencies of the whole Service. The country, also, which at that time had been roused to the necessity of having a large increase of our Fleet, was at first inclined to think it had been wrongly advised, and that further additions were not necessary. Fortunately, soon after that evidence was given, a Committee was appointed by the Admiralty to consider the results of the Naval Manœuvres of 1888. The gentlemen selected were Naval experts of the highest authority—namely, Admirals Sir W. Dowell, Sir Vesey Hamilton, and Sir F. W. Richards. Their Report was of a very different character from the evidence the noble Lord had given. They spoke in the strongest terms of what the Navy wanted. That Report was so remarkable that he would like to quote from it to their Lordships, not because it was necessary to prove his point, but because it was the strongest programme which had ever been drawn up in this country, and, fearlessly issued as it was, was undoubtedly in antagonism to the opinion and evidence of their First Naval Lord of the Admiralty. He would, with their Lordships' permission, read a few extracts from the Report of the Committee on Naval Manœuvres, 1888—

“For all these services in July last the total number of battle-ships and cruisers, &c., available in home waters was a force altogether inadequate in our judgment to meet the requirements we have indicated, and to take the offensive in a war with only one Great Power; and supposing a combination of even two Powers to be allied as her enemies the balance of maritime strength would be seriously against England. The Mediterranean Squadron alone would have required to be more than doubled. We are decidedly of opinion that no time should be lost in placing the Navy beyond comparison with that of any two Powers. No other nation has any such interest in the maintenance of an undoubted superiority at sea as has England, whose seaboard is her frontier. England ranks among the Great Powers of the world by virtue of the Naval position she has acquired in the past, and which has never been seriously challenged since the close of the last great war. The defeat of her Navy means to her the loss of India and her Colonies and of her place among

the nations. Without any desire to question the sums annually granted by Parliament for the maintenance of the Services, we cannot but note the disproportion in the appropriation when the magnitude of the issues involved is taken into consideration. It would, in our opinion, be far more in consonance with the requirements of the nation by the provision of an adequate Fleet to render invasion an impossibility than to enter into costly arrangements to meet an enemy on our shores (instead of destroying his 'Armadas' off our shores), for under the condition in which it would be possible for a Great Power to successfully invade England nothing could avail her, as, the command of the sea once being lost, it would not require the landing of a single man upon her shores to bring her to an ignominious capitulation, for by her Navy she must stand or fall."

The Report was signed by Sir W. M. Dowell, Admiral, Sir R. Vesey Hamilton, Admiral, and Sir Frederick W. Richards, Vice Admiral.

LORD HOOD OF AVALON asked the noble Lord to read his comments upon that Report. Having read the statements on one side, he might as well read the statements on the other.

\*LORD SUDELEY was sorry that he had not the noble Lord's comments ready to hand. The noble Lord at the time certainly did his best to get out of what was a very difficult position, and in his reply he, no doubt, wrote strongly with reference to other matters; but, apparently, he did not say much in regard to that actual point.

\*LORD HOOD OF AVALON said, he took up every point in the Report of the Committee and dealt with it. Having read the statements on one side, the noble Lord ought to read the statements on the other.

\*LORD SUDELEY said, that the noble Lord undoubtedly gave that evidence before the Committee, and by those statements from such a high authority he did more than any other man to retard the passing of the Naval Defence Act.

\*LORD HOOD OF AVALON: Why, I drew the Naval Defence Act. How can you make such a statement?

\*LORD SUDELEY said, that he had no wish to irritate the noble Lord, for whom he had great respect, as certainly one of the greatest authorities in the Navy; but that it was impossible to let his statement remain unchallenged that he had done so much in favour of passing the Naval Defence Act of 1889, when it was known to everyone that he had given

the strongest possible evidence before the Committee on Naval Estimates in that year that nothing beyond six cruisers was required in 1888 to increase the Navy. He would conclude by expressing the hope that the noble Earl at the head of the Admiralty would tell the House that the Government contemplated bringing forward a strong Naval Programme.

\*THE FIRST LORD OF THE ADMIRALTY (Earl SPENCER): My Lords, I am sure your Lordships will have listened with pleasure to the clear and able speech of the noble and gallant Lord, whose contributions to Debates on the Navy will, I have no doubt, always be welcome and valuable to your Lordships and the country. In thinking over the course likely to be taken by these Debates, I did not anticipate a long historical review of the Navy, and I was not prepared to go back to the year 1885 and what was done by the Government of that day. I was not a Member of the Board of Admiralty of those days, but I was a Member of the Cabinet; and, therefore, I shared with other Members of the Cabinet the responsibility for what was done at the Admiralty. Now, my Lords, the noble and gallant Lord attacked the policy of the Admiralty of which Lord Northbrook was the head; but when the Government, of which that noble Lord was a Member, went out and that of the noble Marquess opposite (the Marquess of Salisbury) succeeded, I failed to find any evidence of a new policy or programme adopted by the new Board of Admiralty. What they did do was to carry out and develop the programme of Lord Northbrook. I do not wish to dwell upon that, nor to go into the controversy between Lord Sudeley and the noble and gallant Lord opposite (Lord Hood of Avalon) as to the evidence given before the Committee of the House of Commons. At the same time, I am aware that some evidence of the noble and gallant Lord was quoted to show that very little was wanting in the Navy of 1888. I am also well aware that the noble and gallant Lord was First Sea Lord when the Naval Defence Act was introduced. Perhaps the noble and gallant Lord was more responsible for advice given and the programme adopted in the Act than any other person except the First Lord himself; and it is due to

him to say so much. Now, the Motion contains three propositions. As to the first, nearly everybody agrees with the doctrine it lays down. I, for one, have more than once declared my opinion in this House that it is necessary the Navy should be in a thoroughly efficient state in order to protect the vast and varied interests of this great Empire. I would even go further, and say that not only is it necessary for the interests of the State in time of war that the Navy should be efficient, but that even in time of peace the interests of the country require the support of the Navy in various parts of the world. Then it has been stated that the programme of the Naval Defence Act will shortly be completed. The Admiralty believe that all the ships will be completed, with the exception of about nine, by the end of the financial year 1893-4. The Act requires that they should be completed, as far as practicable, by the end of that financial year. As regards certain ships, there has been some delay which it was impossible to avoid, arising out of the conditions of the shipbuilding trade; but, on the whole, the position we are in as regards the fulfilment of the conditions of the Act is eminently satisfactory. We believe that only £283,000 would be wanted to complete the programme after the beginning of the next financial year. The next proposition which the noble and gallant Lord makes is, that since the passing of the Act the increase in the strength of Foreign Navies renders necessary an increase in the strength of ours. It was always contemplated that there would be increase in the strength of other Navies, but it is possible that increase may have gone beyond our expectations. At all events, I cannot plead ignorance of it. We admit that there has been a considerable development of shipbuilding, in France and Russia particularly; and all that was taken into account by us in considering the position of these nations with regard to our own Navy. Now, my Lords, I come to the Resolution which the noble and gallant Lord asks your Lordships to agree to; and that Resolution, founded upon these propositions, that a further well-considered, progressive, and large scheme should be adopted on the completion of the work created by the Naval Defence Act. That is as I understand it. Now, I am

not quite certain what the noble and gallant Lord means with regard to that. If it is meant that he does not consider the programme with which he was so much connected in 1889 adequate, and which is known as the Naval Defence Act Programme, then I do not find myself able to agree with the noble and gallant Lord. I cannot help thinking that the standard of strength on which the programme was based still holds good, and that it is adequate and sufficient to meet all the just demands of the nation. Having regard to the necessity for considering the strength of Foreign Navies, as well as the defence of the great interests of this country, my belief is that the fulfilment of the programme of the Naval Defence Act attains the necessary standard of strength for our Navy, and I am not prepared to say that that standard should now be increased. A point which has a material bearing upon this question is the great rapidity with which we are now able to construct our ships. The noble and gallant Lord has referred to what was done in the building of the *Royal Sovereign*, and has justly stated that the greatest credit was due to the Dockyard officials for the rapidity with which that vessel was built. I fully endorse that view. That ship was ready for service within three years of the time she was commenced. In other countries five years have been found necessary to build a ship of that kind. That illustrates one of the sources of the strength of this country—that we are able to build ships much more rapidly than other countries. We are thus enabled to watch carefully what other countries do, and, if necessary, we can overtake them on an emergency by laying down ships enough to make up for any possible deficiency, as we can build so much more rapidly. Now, my Lords, I am not quite clear as to what the noble Lord desires. Does he desire that we should have at once a new Naval Defence Act? I do not gather that entirely from his remarks, and I will not, therefore, discuss that question. I will only repeat what I said before, which is well known to the noble and gallant Lord, that there has been a considerable difference of opinion as to the policy of having a scheme of construction laid down in an Act of Parliament. There

are strong financial reasons often urged against that policy, although I am ready to admit that there are also great advantages to be got from it. I did not wish in any way to support the policy of the necessity of having a Naval Defence Act to carry out the programme for the Navy. But, my Lords, when I say I do not consider an Act is necessary, I thoroughly admit that it is necessary to look forward and take a comprehensive view of what is wanted for the Navy. Besides what is absolutely wanted to maintain the strength of the Navy, it is exceedingly desirable that ships should be built and should be at different stages of construction in the Dockyards of the country. This is important, in order to avoid spasmodic increases in the Navy, such as often took place in former years, which mean spasmodic increases in the men employed in the Dockyards, with rapid diminutions in their number when the pressure is past. That I do not think at all a desirable policy. If the noble Lord means that we must keep up the strength of the Navy by substituting new ships of the most modern types for old ships which are becoming obsolete, then I entirely agree with that view of the case. In my belief the duty of the Admiralty at the present time and for the next few years is to maintain the standard of strength which has been laid down of late years, to introduce those ships which are necessary to take the place of vessels which are becoming worn out, and to give the newest types of ships in place of the old ones. I do not want to go again over the ground which I covered in the Debate some time ago. I regretted at the time that the noble and gallant Lord was not present to take part in the Debate; but I will refer shortly to the programme which I stated that the present Board of Admiralty were ready to adopt—a programme which, in my opinion, is sufficient for the present wants of the Navy. I am not aware that what we now propose comes very far short of what, at all events, was first intended by the preceding Board in regard to the programme for this year. There may be modifications on certain points from that programme; but certainly the present Government has decided on those large cruisers to which the noble Lord referred—and I was glad to find approvingly—in his speech. We propose in new construc-

tion this year to spend £2,493,731. That exceeds, to a certain extent, the generally estimated cost of filling up the normal waste of the Navy. My Predecessor, in another place, spoke of it as roughly £2,300,000. There may be some difference of opinion upon that point. It may be put lower to some extent; but on the whole, I do not, from what I have heard, think it necessary to differ materially from that figure. At all events, for new construction, we exceed this year the sum estimated to represent the normal waste of the Navy. Therefore, I do not think we can be justly accused of having such a very meagre programme as the noble and gallant Lord has stated. We propose to build three battle-ships—one, the *Renown*, laid down by my Predecessor, and we propose to lay down two more battle-ships of the *Royal Sovereign* type in the Royal Dockyards. We propose to build three second-class cruisers and two sloops. We propose, moreover, to increase very considerably the number of torpedo-catchers, and we also propose at the end of the year to build two large cruisers, those large vessels all being built out at contract. My Lords, I have not much more to say. I am not prepared to promise a further programme. I adhere to what I stated on the last occasion when I spoke in your Lordships' House. I consider it absolutely necessary to look forward to the future; and that, you may be quite sure, the present Board will do—that they will frame their policy not simply with a view to the present, but to the future. I think there are many reasons why it was not desirable to have too long a programme. First of all, we were new to Office, and it would have been exceedingly wrong on our part to take any new line. We were content to carry on the programme which we found; and, no doubt, if we continue in Office it will be our duty to consider whether any larger programme would be needed. The proper time, it seems to me, for considering the question of a programme is when the Estimates are produced, and when a discussion is raised on the programme that is then put forward, with regard to the policy of construction which it is necessary for the country to know. No doubt other countries have longer programmes than for one year. France has such a programme, but France does not publish beforehand the exact pro-

gramme which she intends to carry out for the next few years. I have very little doubt that the late Board had, as we have, a programme; but they did not publish what that programme should be for a series of years. I am quite aware that the Naval Defence Act was carried for a very special occasion when it was considered necessary to largely increase the strength of the Navy. An opportunity was then given of consulting Parliament for a considerable number of years ahead, and I think that was a different position of affairs to when you are merely keeping up the strength of the Navy to a given standard. I am unable, therefore, to say more than that I adhere to what I stated in the Paper which was circulated to the two Houses of Parliament, and what I explained on the previous occasion in this House. My noble Friend, Lord Sudeley, has put down a Motion which, no doubt, he expected me to answer; but I do not suppose he wishes to make a separate Motion of that question. With regard to what he says, I think it is very probable that before the late Government laid down the principles of the Naval Defence Act a proposal was made in accordance with what he suggests—that a statement was probably laid before the Government of the views of the Naval Lords of the Admiralty and of what they considered necessary to maintain the strength of the Navy. But it is manifestly impossible, even if I had the means, to lay such a Paper on the Table of your Lordships' House; and with regard to doing this in future, I think it is quite impossible for me to lay before the public any programme which may be made with regard to the future construction of ships for Her Majesty's Navy. I do not think it would be in the interests of the Navy or the country to do this, and therefore I am afraid I cannot agree to the doctrines which my noble Friend has laid down in the question he has placed on your Lordships' Paper. I thank your Lordships for listening to these remarks. I regret that I cannot, on the part of Her Majesty's Government, agree to the Motion of the noble and gallant Lord. There is much that he has said which meets with my sympathy and support; but I cannot go so far as to promise a further programme certainly at the present moment.

THE EARL OF NORTHBROOK desired to add his congratulations to those of the First Lord that the House had so able an authority as the noble and gallant Lord for the discussion of naval affairs. He did not intend to go back to the history of Admiralty, over which he had formerly had the honour to preside. He would only mention that the Board of his successor, Lord George Hamilton, continued to work on their programme for three or four years, and the only criticism to be made on that policy was a failure, rather, in laying down battle-ships. Therefore, he did not think that the policy of the Board to which the noble and gallant Lord belonged justified the criticisms he had made, after the lapse of eight years, on the policy of the previous Board. However, that was now an old story, and he quite agreed there should be no jealousy between different Boards of Admiralty—no question of Party or politics on one side or the other. What they all wished to do was to maintain the Navy in a state of efficiency, and ready for any service that might be required for it. He had always heartily supported the policy of Lord George Hamilton as First Lord, and was prepared now to support the spirit of the Motion of the noble and gallant Lord opposite in regard to the Naval Defence Act, though he presumed it would not be pressed to a Division. He understood that what his noble Friend (Earl Spencer) wished to do was to keep up the Navy in accordance with the policy of the late Government, and that he had distinctly given his opinion against opposing the Naval Defence Act. For his part, he regarded the Naval Defence Act as marking an economical and valuable change in the manner in which Naval construction had hitherto been carried on; and he trusted his noble Friend, if in his present Office next year, would reconsider his views, and would bring before his Colleagues arguments in support of that valuable policy. As regarded programmes, he agreed that it was not particularly advisable to advertise any grand scheme of Naval construction lasting over a great number of years. Opinions might change about the type of ships that were most desirable and necessary; and, besides, to advertise a great programme only tended to excite other nations to go and do like-



wise. He had of late years had so little opportunity of getting any practical knowledge of the present condition of the Navy and of the present programmes, that he would only be occupying their Lordships' time to no purpose by adding anything upon a subject which had been brought before the House so ably by the noble and gallant Lord opposite.

**THE MARQUESS OF SALISBURY:** My Lords, as it fell to my lot—some-what anomalously—to bring forward the Naval Defence Act, I merely wish to make one or two observations in reference to what we have heard. I think we all agree that the noble and gallant Lord has contributed a very valuable element to discussions in this House, and has performed a great public service in drawing attention to this question. I am inclined to agree with the noble Lord that programmes in themselves, considered abstractly, are not desirable. Programmes are remedies when there has been neglect; but a healthy Admiralty ought not to require them. On the other hand, I think such a speech as that of my noble Friend Lord Hood and the Motion which he has brought forward, backed as they are by solid professional knowledge, are exceedingly valuable; because unless the Admiralty is kept up by Parliamentary pressure to its duties, however virtuous, however angelic, Boards of Admiralty may be, I am sure they will fall short of the duty imposed upon them. One thing I should wish to say with regard to history. I think it is only fair to say that the first person who awoke Parliament and the country from the torpor into which we had fallen in respect to Naval construction was the noble Lord who has just sat down. It was Lord Northbrook's Administration undoubtedly, I perfectly well remember, which first called attention to the necessity of a new and better state of things. I earnestly hope that the initiative which the noble Lord commenced will not be dropped, and that the First Lord of the Admiralty will not allow himself to be deterred by any absurd Constitutional scruples from following the example which we set in the Naval Defence Act—I refer to the special point of avoiding paying back the balances which have once been voted. The advantage of the Naval Defence Act has been

that a plan as a whole, when laid down, has been kept to, and not altered backwards and forwards according to the requirements of the Chancellor of the Exchequer in each succeeding year. Whatever Party is in power there is always a danger of that pressure which everybody must feel; and the practice of putting the design of a ship, if I might use the phrase, into an Act of Parliament, avoids one of the greatest dangers which our Constitutional system inflicts upon the Navy. I only wish to make this general observation, because I feel how out of place it would be for me to attempt to speak on professional matters. Perhaps my noble Friend the First Lord of the Admiralty will allow me to make the remark as one who has been Foreign Secretary. In the course of his speech the First Lord stated that the Navy was necessary, not only for meeting other Navies, but for conducting a great deal of the business of the country in time of peace, for representing the country on many occasions in various parts of the world where the sense and sight of the power of this country were necessary. I believe that is a most important branch of the duties of the Navy, and it is not always sufficiently considered by our critics. They always seem to imagine that the one duty of the Navy is to fight battles of Trafalgar. It has a great deal to do besides fighting battles of Trafalgar; it is valuable in times of peace; it is a valuable aid to the diplomacy of the Foreign Office, especially when we are dealing with less civilised Powers. But what I want to press upon the First Lord is how that bears upon the question between big ships and smaller ones. I have no doubt that for fighting battles of Trafalgar the big ships are necessary; but they are not so valuable for conducting the ordinary business of the country. They cannot get into small harbours, and that is a very practical evil. We have got battle-ships of such size now that we cannot send them through the Suez Canal, and there are many harbours into which it would be exceedingly difficult for a sufficient English force to go; and on that ground I earnestly hope the noble Earl will not decide too resolutely against multiplying the smaller class of cruisers.

**EARL SPENCER:** Battle-ships I was speaking of, not cruisers.

*The Earl of Northbrook*

**THE MARQUESS OF SALISBURY:** But in forming your Navy you must have a sufficient number of powerful cruisers which can be used on a coast and in small ports. I would also urge on the noble Earl to consider the old proverb about "putting all your eggs into one basket." I confess, when I see the extreme complication of a modern man-of-war, my feeling is that, when we do go to war, after the first naval action the ships of both Navies will return into dock and will remain there. Of course, it will add very much to the nervousness or caution of your Admirals in conducting their operations if they know that every ship they are commanding represents something more than £1,000,000. I have not been able by reading or listening to ascertain whether it is absolutely impossible to have small ships with very heavy armament and of speed equal to the larger ships. If it is not possible, if speed is solely and entirely the characteristic of large ships, there is an end of the question, because the quickest ship will win; but if you can have a small class of ship with a powerful armament and very high speed, I believe that that class of ship would do more for carrying on the business of the Empire, and be more valuable when the day of struggle comes, than the leviathans which will be only too likely to frighten with the sense of responsibility those to whose charge they are committed.

\***LORD SUDELEY** said, there was one remark which had been made by the noble and gallant Lord (Lord Hood) upon which, with the permission of their Lordships, he would like to offer a few words of explanation. The noble Lord took exception to his reply to the Report on the Manœuvres not having been quoted. He had not the paper by him at the time, but had since obtained a copy from the Library, and found that he was quite correct in stating that whilst the noble Lord went very fully into details in his Memorandum he said very little as to the question of the efficiency of the Service generally, but what he did write was practically to confirm his evidence before the Committee of 1888—namely, that he was satisfied with the then present condition of things. These were the words of his own Report—

"And whilst at once admitting that our Naval Force is not of sufficient strength to perform efficiently the various services sketched out by the Committee, in the case of war with one maritime nation, I believe it is of sufficient strength to engage the forces of any single Maritime Power with success; to protect our coasts from the possibility of invasion, and to afford fair protection to our commerce abroad and good protection to our commerce in the Channel and its vicinity, and I am certain that by the end of next year the strength of our Navy will be very largely increased as compared with the advance which can be made by any other Maritime Power in the same time."

\***EARL SPENCER:** I have already said it is impossible for me to agree to the Motion the noble and gallant Lord has made, and I trust he will not press it to a Division.

**LORD HOOD OF AVALON** said, he had no wish to press it.

Motion (by leave of the House) withdrawn.

#### MUNICIPAL CORPORATIONS ACT (1882) AMENDMENT BILL.—(No. 35.)

Returned from the Commons with the Amendments agreed to.

#### COMMITTEE OF SELECTION FOR THE STANDING COMMITTEE.

Report from, that the Committee have added the Lord Tyrone (M. Waterford), the Lord Churchill, and the Lord Monckton (V. Galway) to the Standing Committee, for the consideration of the Barbed Wire Fences Bill; read, and ordered to lie on the Table.

#### METROPOLITAN COMMONS PROVISIONAL ORDER (BANSTEAD) BILL. (No. 51.)

Reported from the Select Committee with Amendments, and committed to a Committee of the Whole House on Thursday next.

#### OYSTER AND MUSSEL FISHERY PROVISIONAL ORDER CONFIRMATION BILL [H.L.].—(No. 63.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> on Thursday next.

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 2) BILL.—(No. 71.)

Read 3<sup>a</sup> (according to Order), and passed.



### MAGISTRATES (COUNTY OF LANCASTER).

Ordered to be laid before the House,

"Copy of the Memorandum made in the office of the Chancellor of the Duchy of Lancaster in the year 1870 on the subject of the appointment of County Magistrates in that county, and of any Correspondence which has taken place between the Chancellor of the Duchy and the Lord Lieutenant of the county on that matter."—(*The Viscount Cross.*)

House adjourned at half-past Seven o'clock, to Thursday next, a quarter past Ten o'clock.

### HOUSE OF COMMONS,

*Tuesday, 16th May 1893.*

### QUESTIONS.

#### THE SUPREME LEGISLATIVE COUNCIL OF INDIA.

SIR WILLIAM WEDDERBURN (Banffshire): I beg to ask the Under Secretary of State for India whether the Secretary of State for India has received a Memorial adopted at a public meeting held at Nagpur on the 19th of April last, protesting against the exclusion of the Central Provinces from the right to recommend a Representative to the Supreme Legislative Council, under the Rules framed in accordance with Section 1 of "The Indian Councils Act, 1892"; and whether, having regard to the interests of the 10,000,000 inhabitants of the Central Provinces, and to the fact that all their laws are enacted by the Viceroy's Council, the Secretary of State will consider the desirability of granting to the Central Provinces the right to recommend at least one nominee to that Council, as has been granted to Provinces which have the advantage of Legislatures of their own?

THE UNDER SECRETARY OF STATE FOR INDIA (MR. GEORGE RUSSELL, North Beds.): The Secretary of State has seen the Memorial on the subject referred to by my hon. Friend, but it has not been received by him officially. The question of the best method of securing the representation on the Viceroy's Council of the Provinces which have no Legislatures of their own,

was fully considered by the Government of India, who decided that simple nomination, guided by consultation with the persons best qualified to give advice, will be the best means of securing Representatives from them. This decision has been approved by the Secretary of State in Council.

#### THE BOMBAY PRESIDENCY POLICE COURT.

SIR WILLIAM WEDDERBURN: I beg to ask the Under Secretary of State for India whether there is any Regulation in force in the Bombay Presidency which requires that the Chief Magistrate of the Presidency Police Court should be a practising barrister; and whether a Junior Magistrate of the same Court, being a barrister, is disqualified because he is debarred from practising by reason of his magisterial duties?

MR. GEORGE RUSSELL: No, Sir. The Secretary of State knows of no such Regulations as those to which my hon. Friend refers. It is obvious, therefore, that, so far as he is aware, no Junior Magistrate can be disqualified in the manner suggested.

#### THE RIVER CLWYD.

MR. WILLOX (Liverpool, Everton): I beg to ask the President of the Board of Trade whether he is now in a position to state what are the results of his communications with the person against whom complaint is made that he is dredging gravel in the River Clwyd, to the destruction of the natural barrier of the town of Rhyl; whether he is aware that these dredging operations are still being continued by the removal of gravel from the weakest part of the foreshore; and whether he will take immediate measures to stop the continuance of a practice which exposes Rhyl to danger from the inroads of the sea?

THE PRESIDENT OF THE BOARD OF TRADE (MR. MUNDELLA, Sheffield, Brightside): The Rhuddlan Marsh Embankment Trustees have, I am advised, in pursuance of an Act passed in 1794, full power to dredge the River Clwyd and the Harbour of Foryd below Rhuddlan Bridge. The Chairman of those Trustees has acquired from the Commissioners of Her Majesty's Woods and Forests certain tidal lands, on which, it is stated, dredging operations are now

being carried on by the person complained of. I am not aware that the town of Rhyl is exposed to damage by the operations now in progress. The Town Commissioners, with whom I have communicated, make no such complaint.

**MR. WILLOX:** Has the right hon. Gentleman seen a copy of the Town Surveyor's Report?

**MR. MUNDELLA:** I cannot call it to mind just now; and if the hon. Member wishes to put a question on it, perhaps he will place a Notice on the Paper.

#### JABEZ SPENCER BALFOUR.

**MR. HOWELL** (Bethnal Green, N.E.): I beg to ask the Under Secretary of State for Foreign Affairs whether he is in a position to make any definite statement to the House with reference to the arrest and extradition of Jabez Spencer Balfour; whether it is true that the Argentine Republic have offered to give up Mr. Balfour if the British Government will agree to give up a person similarly accused for similar alleged offences or crimes; and whether the Government will consent to lay on the Table of this House the Papers and Correspondence relating to the negotiations upon this subject?

**THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS** (Sir E. GREY, Northumberland, Berwick): The Argentine Government refuse to grant the extradition unless reciprocity is conceded. In the absence of the ratification of the Treaty signed in 1889, Her Majesty's Government are precluded by law from giving this reciprocity. It is hoped that the Argentine Congress may ratify the Treaty of 1889; and, under these circumstances, it does not seem advisable to lay any Papers at present.

#### STEAMSHIP COMMUNICATION BETWEEN CANADA AND AUSTRALIA.

**MR. HOGAN** (Tipperary, Mid): I beg to ask the Under Secretary of State for the Colonies whether the new steamship service between Australia and Canada *viâ* Honolulu has been brought to the notice of his Department; whether he has received any representations in this connection on behalf of the Canadian and Australian Governments; and

whether, having regard to the utility and importance of this new link of communication between two great divisions of the Empire, he is in a position to give any assurance of Imperial recognition and support in conjunction with the Canadian and Australian Governments?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar): An application was lately received by the Colonial Office, and by them communicated to the Admiralty, that the subvention for armed cruisers may be granted to the steamships in question. The application is now under consideration.

#### THE SECONDARY EDUCATION GRANT FOR SCOTLAND.

**MR. MACFARLANE** (Argyll): I beg to ask the Secretary for Scotland if he has now received the opinions of the County Committees on the subject of the allocation of the Secondary Education Grant; and whether, under the distribution proposed by the Minute, Glasgow would receive upwards of £11,000, and Orkney, Shetland, Sutherland, Caithness, Ross and Cromarty, Inverness, Argyll, and Bute together only £5,000?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): I have already laid before the House the replies of the County Committees in a Return moved by the hon. Member for Partick. In the Appendix to the Circular issued on 1st May, the amount payable to each county and burgh on the basis of population is shown. From that it appears that Glasgow would receive £8,011 16s. 9d., and the counties named would receive £5,377 4s. 11d.

#### MILITARY RATIONS.

**MR. BEITH** (Inverness, &c.): I beg to ask the Secretary of State for War whether it is the generally understood practice that officers in charge of the commissariat departments of the various depôts and head-quarters of regiments at home should provide the necessary food and canteen supplies from the district which they respectively occupy, and not from distant or foreign sources, especially where the local articles are equal in quality and price to that which can be procured elsewhere?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL - BANNERMAN, Stirling, &c.): Rations of bread and meat for the troops are obtained under contracts entered into by public competition, and the rule is to accept the lowest offer received, provided the tender is in every respect satisfactory. It is not always possible to ascertain the locality from which the flour or animals are obtained. Canteen supplies are obtained regimentally under arrangements made by officers commanding, with which the War Office does not interfere.

THE "LABOUR GAZETTE."

Mr. FORWOOD (Lancashire, Ormskirk): I beg to ask the President of the Board of Trade whether, in the new official publication, *The Labour Gazette*, it is his intention to confine the reports on labour questions and disputes to those received from correspondents representing only the workmen; or whether he will appoint similar representatives competent to furnish such information from the employers' point of view, so as to secure a complete review of the subject?

Mr. MUNDELLA: If the right hon. Gentleman will turn to the Memorandum of the Labour Department circulated this morning, he will see that it is not the intention to confine reports in the manner suggested, and that arrangements have been made to receive and consider information supplied from Chambers of Commerce and Employers' Associations.

THE DUBLIN MAIN DRAINAGE SCHEME.

Dr. KENNY (Dublin, College Green): I beg to ask the Secretary of State for War whether he is aware that the delay in the production of the Report of the Army Sanitary Committee which met in Dublin on the 13th of April ultimo to inquire into and report on certain objections raised by the War Office Authorities against portions of the Dublin Main Drainage Scheme in connection with the precipitation tanks, is productive of much inconvenience and expense to the Dublin Corporation and of much disappointment to the working classes in Dublin, who are anxiously looking forward to the initiation of the proposed works for the employment so much needed; whether the said Army Sanitary Committee has met since the 13th April to consider

their Report; and, if so, has their Report been yet presented; if not, can he state when it is likely to be presented; and whether he will take measures to expedite its production?

Mr. FIELD (Dublin, St. Patrick's): On the same subject, may I ask whether the War Office Authorities have yet received the Report, the absence of which is given as a cause for delaying the Dublin Main Drainage works; and whether he will endeavour to expedite this matter, as already promised, because favourable time is passing, and the employment is much needed?

Mr. WILLIAM KENNY (Dublin, St. Stephen's Green): I also beg to ask if the Army Sanitary Committee, which held an inquiry in Dublin on the 13th April last, with reference to the proposed Dublin Main Drainage Scheme, have as yet made their Report; if he will state what is the cause of the delay; and, having regard to the fact that the present period of the year is regarded as the most convenient and desirable for the initiation of the projected works, if he will take steps to expedite the furnishing of the Report?

\*Mr. CAMPBELL-BANNERMAN: The Army Sanitary Committee have had two meetings on the subject of the Dublin Main Drainage Scheme since their return from Dublin, besides various informal meetings and discussions. The Report has not yet been presented; but the Committee hope to be in a position to do so shortly, and of this the Corporation of Dublin have been officially informed within the last few days. The Committee thought it desirable to inspect and obtain information regarding certain sewage works in England which had been referred to by the Drainage Committee of the Dublin Corporation. This inquiry will be completed this week.

Dr. KENNY: Seeing that it is a notorious fact that the works can only be carried on in very fine weather, will the right hon. Gentleman endeavour to expedite the Report, so that the work may be commenced in Dublin during the continuance of the present fine weather?

Mr. CAMPBELL-BANNERMAN: I am anxious to expedite the matter in every possible way. I have stated the reasons for what I cannot say is an unreasonable delay.

DR. KENNY: May we hope to have the Report within a very brief period?

MR. CAMPBELL-BANNERMAN: I have said so.

#### RAILWAY RATES AND CHARGES.

SIR JAMES WHITEHEAD (Leicester): I beg to ask the President of the Board of Trade whether he is aware that the Railway Companies decline to give an analysis of their actual rates and charges when they are below the maximum; and whether the law gives them the right to do so; and, if not, whether he will undertake to proceed against them?

MR. MUNDELLA: Yes, Sir; I am aware that certain Railway Companies decline to give an analysis of their actual rates and charges when they are below the maximum. The Board of Trade considered this matter so important that they took the opinion of counsel upon it; and they are advised that—

"Upon a proper application being made under Sub-section 3 of Section 33 of the Act of 1888 the company are bound to dissect the actual charge made, on the ground that the sub-section applies not only to a maximum rate, but also to the charge made or claimed."

The Board of Trade are advised that the language of Section 33 implies that the person whose private right is infringed by a company's refusal is the person to proceed under Sub-section 7. This question, however, is receiving further consideration, and is one which will be brought under the notice of the Select Committee which we are anxious to appoint.

SIR J. WHITEHEAD: Do not the Board of Trade consider it their duty to take proceedings under the circumstances?

MR. MUNDELLA: I have stated the actual advice given by counsel on the matter. It now becomes a question for the consideration of the Committee.

MR. FIELD: And we shall have no chance of getting an early reduction of the rates?

MR. MUNDELLA: It is not a question of the reduction of rates; it is a question of the splitting up of rates. Traders have the remedy in their own hands.

MR. FIELD: These things are so involved that it is quite impossible to understand them.

#### WEIGHING CATTLE.

MR. WHARTON (York, W.R., Ripon): I beg to ask the President of the Board of Agriculture whether he will consider the propriety of introducing a short Bill defining a suitable machine for the weighing of cattle, within the meaning of the Acts of 1887 and 1889?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (MR. H. GARDNER, Essex, Saffron Walden): Under the Markets and Fairs (Weighing of Cattle) Act, 1891, Market Authorities are required, unless specially exempted, to provide and maintain to the satisfaction of the Board of Agriculture sufficient and suitable accommodation for weighing cattle. Under the law as it stands, the Board are enabled to take into account the particular circumstances of each particular market in giving effect to the requirements of the Statute; and my impression is that any attempt to lay down any statutory rule as to what would in all cases constitute sufficiency or suitability would impede rather than advance the practice of buying and selling by live weight.

#### THE SEAFORTH HIGHLANDERS.

MR. WEIR (Ross and Cromarty): I beg to ask the Secretary of State for War whether he will give effect to the resolution of the Ross and Cromarty County Council, and other resolutions passed at meetings in various parts of Ross-shire, in favour of the annual assembling and drilling of the 3rd Battalion Seaforth Highlanders (Ross and Cromarty Militia) at Dingwall; and also of the appointment of the depôt of the Ross-shire Buffs at the same place?

\*MR. CAMPBELL-BANNERMAN: This battalion is mainly composed of fishermen, and, at the special request of the Commanding Officer and Military Authorities in Scotland, is always trained in the winter. It would be impossible to place the battalion under canvas at that time of year, and there is not sufficient billet accommodation in the town of Dingwall. The question of transferring the depôt of the Ross-shire Buffs to Dingwall was fully considered some time ago, and the change was judged to be inexpedient, mainly owing to the great expense that would be incurred in providing barrack accommodation.

## TOTTENHAM FEVER HOSPITAL.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the President of the Local Government Board if he will withhold his sanction to the establishment of a permanent Fever Hospital in St. Anne's Road, Tottenham, until the Metropolitan Asylums Board have made *bonâ fide* efforts to obtain an alternative site?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The matter is now under the consideration of the Local Government Board. It will have the most careful attention, and a decision will be arrived at as soon as possible.

## ARMY MEDICAL SERVICE EXAMINERS.

DR. KENNY: I beg to ask the Secretary of State for War whether he has received a Memorial from the Royal College of Surgeons in Ireland, dated 25th April, on the subject of the recent change in the mode of selecting Examiners for the Army Medical Service; whether it is correct, as therein stated, that the War Department or any branch thereof has given undertakings to the Royal College of Surgeons of England and to the Royal College of Physicians, London, that the selection of Examiners for the competitive examinations for admissions to the Army Medical Service shall in future be confined exclusively to past or present Examiners of those Colleges; whether it is also true, as stated in said Memorial, that out of a total of 891 officers constituting the Army Medical Staff, 429, or nearly one-half, hold Irish qualifications; and whether he will take into consideration the prayer of said Memorial that the War Department should constitute its Examining Board of Examiners selected in fair proportion from the teaching centres of the Three Kingdoms?

\*MR. CAMPBELL-BANNERMAN: Yes, Sir; the Memorial from the Royal College of Surgeons in Ireland, dated April 25, on the subject of the recent change in the mode of selecting Examiners for the Army Medical Service has been received. The statement in that Memorial of the number of officers of the Army Medical Staff who have Irish qualifications is approximately true, the number being 380 out of a total number of 857. It is not the case that

any undertaking has been given to the Royal Colleges in London restricting the appointment of Examiners to those who have been Examiners to those Colleges; but it was announced to be the present intention to appoint Examiners from that list. As I before explained, the appointment, for reasons of efficiency, will now be only for four years; and on vacancies occurring it will be quite open to the Secretary of State to consider whether he should appoint the new Examiners from among gentlemen with a similar guarantee of competency from the Scotch and Irish schools. I may say, however, that Examiners from the English schools have been employed for the last 35 years without any grievance being alleged; and from the numbers quoted it would not appear that Irish candidates have been unfairly excluded.

DR. KENNY: As to the last part of the answer, is it not a fact that they were permanent Examiners totally disconnected from any Licensing Bodies. The point of my question is that, inasmuch as the Examiners are now being selected from Teaching Bodies, it will necessarily induce the students to go to those Teaching Bodies to the detriment of the Irish and Scotch schools?

MR. CAMPBELL-BANNERMAN: I have already said it will be open to the Secretary of State to consider applications from Examiners connected with those schools.

DR. KENNY: And in the meantime the mischief is being done.

MR. CARSON (Dublin University): What is the percentage of Irish candidates as compared with the candidates from England?

MR. CAMPBELL-BANNERMAN: I cannot say.

## BOYCOTTING AT KILLAVULLEN.

MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the report of a meeting held at Killavullen on the 7th instant, at which Thomas Barry, a Poor Law Guardian, publicly stated that the two persons whom he recently denounced as having signed a Petition against the Government of Ireland Bill, and whose house was subsequently burned, were his own personal opponents; whether Barry has been

already twice convicted, once for being drunk and disorderly, and once for systematic and organised boycotting; whether Barry, at the meeting referred to, invited the ratepayers of the disrict to contest, inch by inch, and to the end, the claim of the persons whose house had been burned, to any compensation; and whether it is proposed to take any steps to stop any further persecution of the two persons who have been denounced by Barry?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I have seen a newspaper report of the statements contained in the first and third paragraphs. The question whether the burning was malicious or otherwise will be one for consideration at Presentment Sessions; and, the matter being thus *sub judice*, it is obviously inconvenient to discuss it in this House. As regards the fourth paragraph, the local Police Authorities will take such steps as they may deem necessary.

MR. CARSON: Did not Barry denounce these persons for signing Petitions against the Home Rule Bill?

MR. J. MORLEY: I said I had seen the newspaper report.

MR. ARNOLD-FORSTER: I did not catch the words of the right hon. Gentleman. May I ask whether he answered that portion of the question in which I inquired whether Barry had been twice convicted?

MR. J. MORLEY: I did not answer that portion of the question, because I conceived that whether the man was convicted or not has nothing to do with the matter. It is rather unfair, on putting a question on another matter, to refer back to bad antecedents, if bad antecedents there be.

MR. ARNOLD-FORSTER: But may I ask whether the right hon. Gentleman is not aware that one of the previous convictions was for a precisely similar offence to that now alleged—namely, boycotting and persecution of innocent persons?

MR. J. MORLEY: I am not aware, from the reports I have seen, that the present is a case of organised boycotting.

MR. W. O'BRIEN (Cork): Were Barry's convictions under the Coercion Act?

MR. J. MORLEY: I cannot say.

MR. FLYNN (Cork, N.E.): Is the right hon. Gentleman aware that one of the convictions was under the disinterred Statute of Edward III.?

[No answer was given.]

#### SWAZILAND.

BARON HENRY DE WORMS (Liverpool, East Toxteth): I beg to ask the Under Secretary of State for the Colonies whether the Transvaal Government, in accordance with the conditions of Clause 9 of the Convention of 1890, gave notice on or before the 8th of this month of their intention to withdraw from that Convention on 8th August; and whether he will now state whether any and, if so, what agreement has been arrived at by Sir Henry Loch and President Krüger relative to the future of Swaziland, and will he present Papers on the subject?

MR. S. BUXTON: The Government of the South African Republic have, in accordance with Article 21, given notice of the termination of the Convention of 1890. Certain bases of future negotiation were discussed at the Conference between Sir Henry Loch and President Krüger, and we believe that a satisfactory arrangement will be arrived at. I am afraid I cannot at the present moment say more in reference to the actual bases of agreement than I stated in my speech in Committee on the 4th instant; and I would refer the right hon. Gentleman to the *Hansard* report of my speech. I will give further information on the subject, and lay Papers at the earliest possible moment that this can be done without detriment to the Public Service.

## IRISH DISTRICT LUNATIC ASYLUMS.

DR. KENNY : I wish to ask the Chief Secretary for Ireland a question of which I have given him private notice. It is whether, in regard to the abolition of visiting Medical Officers to district lunatic asylums, he will make further inquiry, with a view to either the modification or abolition of the new Rule ?

MR. J. MORLEY : I will make further inquiry.

## IRISH BUTTER RAILWAY RATES.

MR. WILLIAM REDMOND (Clare, E.) : I beg to ask the President of the Board of Trade whether the Great Southern and Western Railway Company are charging 4d. per firkin more than last year for single firkins sent from Ennis to Cork and intervening stations ?

MR. MUNDELLA : I communicated with the Company on the 12th, and have not yet received their reply. Perhaps the hon. Member will repeat his question later.

## THE HANSARD UNION PROSECUTION.

MR. GERALD BALFOUR (Leeds, Central) : I beg to ask the President of the Board of Trade whether he can state what is the total of the costs, charges, and expenses incurred in the recent prosecution of Sir Henry Isaacs, Mr. Horatio Bottomley, and others, in connection with the affairs of the Company known as the Hansard Publishing Union, Limited ; also the amount of the costs, charges, and expenses of the public examination of the Directors and Officers of the said Company ; and, out of what Vote such costs, charges, and expenses will be paid ?

MR. MUNDELLA : The cost of the public examination of the Directors and Officers of the Company which will, in the absence of any assets in the liquidation, fall upon the Vote of the Board of Trade, amounts to £90 12s. 7d. The Board of Trade have no knowledge of the costs, charges, and expenses incurred in the prosecution referred to, which was instituted and conducted by the Director of Public Prosecutions.

## GUERNSEY.

MR. CHARLES ROUNDELL (York, W.R., Skipton) : I beg to ask the Secretary of State for the Home Department whether representations have reached him from the inhabitants of Guernsey, Jersey, and Sark as to their grievances in the administration under the feudal constitution of these Islands ?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) : No such representations have been received.

## DERBY DAY.

LORD STANLEY (Lancashire, S.E., Westhoughton) : I beg to ask the First Lord of the Treasury whether, having regard to the fact that last year the number of Members attending on Derby Day was insufficient to form a House, he will consider the advisability of prolonging the Whitsuntide Holidays till Thursday, 1st June ?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) : I think the feeling of the House is that the proposal we intend to make is a very moderate one, and the holiday as long as it should be under the circumstances. We shall certainly do our best to make a House on Derby Day.

## THE GOVERNMENT OF IRELAND BILL.

MR. COCHRANE (Ayrshire, N.) : I beg to ask the First Lord of the Treasury whether, having regard to the postponement of the Committee stage of the Financial Clauses of the Government of Ireland Bill, and the consequent impossibility of an early discussion on the subject of the financial relations of England, Scotland, and Ireland, the Government will now consent to the appointment of a Committee to inquire into the financial relations of Scotland to the Imperial Exchequer ?

MR. W. E. GLADSTONE : I am sorry to say that I cannot undertake to promise the appointment of the Committee referred to in the question.

Mr. BARTLEY (Islington, N.): I beg to ask the First Lord of the Treasury, in view of the fact that the amount that may still be advanced for the purchase of land in Ireland to enable tenants to buy their holdings under "The Purchase of Land (Ireland) Act, 1891," exceeds £33,000,000, whether, if the Government of Ireland Bill becomes law, this amount is to be advanced if applied for; and, if so, on what security, and also out of what funds the money is to be obtained, and whether from taxation or loan from the taxpayers in the United Kingdom, or is it to be limited to taxpayers in Ireland only?

Mr. W. E. GLADSTONE: It is the intention of the Government that all proceedings under the Land Purchase Act shall go on as before, and that the Home Rule Bill shall not interfere with them in any way. Full information as to the way in which the intentions will be carried out will be given when the Government move their Amendments, which are necessary for that purpose. The hon. Member seems to think that advances under the Act are made in cash drawn from the taxpayers of the United Kingdom. But there is no question of taxpayers at all unless the Guarantee Fund should fail, and at present there is no reason to believe that that fund will fail.

\*Mr. BARTLEY: But is not the Guarantee Fund now really allocated for other purposes?

[No answer was given.]

#### TRADE DISPUTES.

Mr. CAYZER (Barrow-in-Furness): I beg to ask the First Lord of the Treasury whether Her Majesty's Government will give facilities for obtaining the Second Reading of the various Bills now before the House relating to the establishment of Boards of Arbitration and Conciliation in trade disputes, in order that they may be referred to the Standing Committee on Trade or otherwise considered, with a view to providing means for settling trade disputes?

Mr. W. E. GLADSTONE: The President of the Board of Trade has stated that he is disposed to refer his Bill to the Grand Committee on Trade as suggested in the question, and that he is perfectly willing that in the rear of his

Bill all the other Private Bills on the same subject introduced by independent Members should also be referred to that Committee. But we are not prepared to allow time for discussion on such a Motion while we have still more important business.

Mr. CAYZER: Then are we to understand that all these questions, which are so important to the industrial classes, are to be shelved until the Home Rule Bill has been got rid of?

Mr. W. E. GLADSTONE: I consider it would be very much indeed to the interests of the working classes of this country if means of persuasion could be used to remove the impediments in this case.

#### THE SCOTCH DISESTABLISHMENT QUESTION.

Mr. ANSTRUTHER (St. Andrews, &c.): I beg to ask the hon. Member for the College Division of Glasgow if, in view of the meeting this week of the General Assembly of the Church of Scotland, he can hold out any hope that the Bill he introduced last week on the Disestablishment Question will be printed and circulated before the adjournment?

Dr. CAMERON (Glasgow, College): I hope to receive the final revise from the printers to-night, and to be able at once to authorise the printing and circulation of the Bill.

#### BUSINESS OF THE HOUSE.

Mr. HANBURY (Preston): May I ask whether, as Supply is to be taken on the first day after the holidays, the Supply to be taken will be ordinary Supply, or in the form of a Vote on Account?

Mr. W. E. GLADSTONE: It will be necessary to take a Vote on Account as part of the business of the evening.

Mr. A. J. BALFOUR (Manchester, E.): What will be the business on Tuesday.

Mr. W. E. GLADSTONE: It is our intention to take the Home Rule Bill on that day.

#### ARMENIA.

Mr. GIBSON BOWLES (Lynn Regis): I beg to ask the Chancellor of the Duchy of Lancaster whether he is correctly reported by *The Daily News* of Saturday last to have said, on the occa-



sion of his receiving a handsome silver cup and inkstand from the Armenians of England and France, that Great Britain ought to continue to point out to the Turkish Government the dangers which would subsist and even increase so long as the reforms promised with respect to Armenia in 1878 were not carried out; and whether Her Majesty's Government have so continued to point out the alleged dangers in question?

THE CHANCELLOR OF THE DUCHY OF LANCASTER (Mr. BRYCE, Aberdeen, S.): The report referred to appears to be substantially correct. I have no doubt that every British Government will continue to point out whenever a suitable opportunity presents itself, as I believe every British Government since 1878 has pointed out, the dangers involved in the failure to carry out the reforms promised in 1878 for the Armenians.

MR. GIBSON BOWLES: Will the right hon. Gentleman answer the second paragraph?

\*MR. BRYCE: I have answered it; the answer is, that the statement in the report refers to "Great Britain," and that I trust Great Britain will always so act.

MR. GIBSON BOWLES: The right hon. Gentleman is a Member of the Cabinet. He must know.

\*MR. BRYCE: If the hon. Member will refer to the terms of his question, he will see that I have answered him. The report of my remarks did not refer to the present Cabinet in particular, but to Great Britain. I have said I trust that Great Britain will continue to make these representations.

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress 15th May.*]

[SEVENTH NIGHT.]

Considered in Committee.

(In the Committee.)

### *Legislative Authority.*

Clause 2 (Powers of Irish Legislature).

MR. MACFARLANE (Argyll): I rise to a point of Order. I wish to know whether, if an hon. Member who has put an Amendment upon the Paper, and either

is absent when called upon to move it or does not wish to move it, it is open to any other hon. Member to move such Amendment? In that case I wish to know why the hon. Member for the Harbour Division of Dublin was prevented from moving the Amendment he proposed to move yesterday?

THE CHAIRMAN: I cannot answer abstract questions of this kind, but am prepared to rule on matters as they arise. Had this question been put yesterday I would have replied to it. With regard to the Amendments that stand upon the Paper, in my opinion the subject-matter of the first, in the name of the hon. Member for the Guildford Division of Surrey; and the second, in the name of the hon. Member for North Islington, could be better discussed on the Amendment in the name of the right hon. and learned Member for Bury.

MR. BARTLEY: That being your ruling, Sir, I do not desire to press my Amendment to the prejudice of that in the name of the right hon. and learned Member for Bury.

MR. BRODRICK (Surrey, Guildford) said, the Amendment which he had to propose—the second in his name on the Paper—had for its object to insure the practical retention by the Imperial Parliament of the power of restraining at any moment the undue exercise of the powers granted to the Irish Legislature. As regarded legislation, of course, they had the veto of the Crown, which could exercise a restraining influence; but as the Bill stood there was no power to which effect could be given reserved to the Imperial Parliament to restrain the action of the Irish Executive. It might be urged that what was given by Statute could be restrained by Statute, but exceptional circumstances demanded exceptional remedies; they were bound to look not only on the theoretical side of the case, but also on what was likely to be the practical effect, and they ought to reserve to the Imperial Parliament powers far in excess of those reserved in the case of the Colonial Legislatures. Look at the number of subjects which they intended to prevent the Irish Parliament dealing with. There was, for instance, a distinct reservation under Section 3 which prohibited the Irish Government from making Treaties with

*Mr. Gibson Bowles*

Foreign Powers; but there were many cases independently of making Treaties in regard to which the Irish Government might be brought into contact with Foreign Powers. By way of illustration, he would suppose that the Irish Government decided that Germans should be excluded from Ireland from a given day. Such a proceeding might be a source of complaint against the Imperial Government on the part of Germany. The German Ambassador would approach Lord Rosebery; and although Lord Rosebery might reply that his Government regretted the action of the Irish Government, his power over the latter would be *nil*, and the Irish Government might be expected to stand their ground notwithstanding any representations he might make or any advice he might tender. Where, then, was the supreme power? He would take another case which was absolutely certain to arise. Under this Bill, the Government reserved the whole question of the land for a period of three years. No doubt this was done with a *bonâ fide* desire to settle the question. But let them bear in mind that this subject had been under the doctor's knife 23 years, and then they would see that the Prime Minister was over-sanguine if he thought he was going to settle it within three years. If this Bill passed in 1893, the Land Question would have to be settled before 1897, and, if this were not accomplished, a Bill would have to be brought in to extend the time. Under such circumstances, he would have thought that any Ministry would consider that an Address to the Crown by both Houses limiting the time to a further period of three or five or seven years would be a better mode to adopt than by bringing in a Bill for the purpose and occupying the time of the House in discussing it. He believed that not one in ten Members opposite would vote for this Bill, unless they thought that it would clear this Parliament of Irish affairs. They all hoped that if the Bill passed—and their great hope was that it would never pass—it would be a final measure. But what hope of finality was there in this Bill? The Land Bill of 1881—which was to finally settle the question—had been amended four times in important particulars, and it was obvious that many causes for intervention, now unforeseen, would arise, and

have to be dealt with in supplementary legislation. The new Parliament would be able to legislate for Ulster. They might desire to legislate in a satisfactory manner; but they would then have a Catholic Parliament legislating for Protestants—a Parliament elected by the poorer class of farmers legislating for capitalists; and he would be a bold man who would say that the legislation in Dublin would be satisfactory to Ulster. Supposing that legislation were passed by the Parliament in Dublin, affecting Ulster in such a way as to cause riots in Belfast, it would be a long time before the feelings thus aroused could be set at rest. The only possible means which could be effectively applied would be to interfere at once by summary process; but no summary process was provided in the Bill. They were thought to be unduly inclined to attribute evil motives to hon. Members from Ireland; but, without attributing evil motives to them, it might fairly be said that, with the exception of the hon. Member for South Longford, those hon. Members had no experience whatever of legislative authority or constructive statesmanship. They were, therefore, sure to make mistakes at the outset, and mistakes would be very dangerous in the present condition of Ireland. The Solicitor General, when appealed to last night by the late Chancellor of the Exchequer, would not deny that the supremacy of this Parliament over Ireland rested upon Statute; and it therefore came to this: that questions of supremacy would have to be interpreted by judicial authorities. That which had been given by Statute could be also taken away by Statute.

THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): No.

MR. BRODRICK, continuing, said the hon. and learned Gentleman told them that it was a statutory authority derived from the Act of Union. Well, he himself was not a lawyer, and he must leave it to lawyers to discuss the point with the Solicitor General. The supremacy, from the Opposition point of view, was being watered down by the Government from day to day. The Home Secretary assured them that he would have no objection whatever to the insertion of certain words in the body of the Bill, and the Opposition desired to see the supremacy put into a practical form. They

did not want this already overburdened Parliament to be constantly discussing Irish affairs if this Bill were passed. It was for these reasons that he suggested by his Amendment the most practical and ready form of meeting the difficulties which would hereafter arise.

**Amendment proposed,**

In page 1, line 18, at the end of the Clause to add the words—"But it shall be lawful for Her Majesty, upon the Address of both Houses of the Imperial Parliament, to diminish or restrain the whole or any part of the powers herein granted to the Irish Legislature."—(*Mr. Brodrick.*)

**Question proposed,** "That those words be there added."

**MR. W. E. GLADSTONE :** The hon. Member's speech was evidently prepared for delivery on another Amendment, for it certainly was not directed to the Amendment which he proposed, and I will not, therefore, follow him through it. So far as I am able to judge from the tone and terms of his speech, there exist no substantial difference between the hon. Member and the Government except our expressed disinclination to put into the Act itself what is already contained in the Preamble. So far as restricting the Executive action of the Irish Government is concerned, there is not the smallest necessity for the Amendment, because the Executive action of the Irish Government will be restrained by the Viceroy in respect of all its decisions and actions, just as the Executive action of the British Government is restrained by the intervention of the Sovereign. The Bill does not propose to invest the Executive Council, of which it contemplates the creation, with governing powers. I am not conscious of any ground upon which the existing machinery will be found to be insufficient. The hon. Gentleman did not accurately represent the scope of his Amendment. His Amendment deals with the exceptional powers to be conferred by the Bill. Executive powers are not given by this Act, but I am very doubtful whether any Executive power would fall within the scope of the Amendment. But what might plainly be within the scope of the Amendment, and what is the object of the Amendment, is that the whole of the legislative powers given by this Act would be liable to be revoked upon an Address from both Houses of Parliament.

*Mr. Brodrick*

The Government cannot, of course, concede that the House should spend months and months upon the discussion of this Bill and upon the construction of a system of government for Ireland, and that then it should be possible for a single vote of each House to abolish it at will. That would be a proceeding absolutely without precedent ; it is entirely contrary to the spirit of the Constitution, and it is entirely contrary to the usages of common sense. The House never could be disposed favourably to entertain such a proposition, and it is one which it is totally impossible for the Government under any consideration to entertain. The hon. Gentleman appeared to think that the Imperial Parliament would not be able to restrain the Irish Government from interfering with the arrival and landing of German immigrants in Ireland.

**MR. BRODRICK :** Foreign immigrants.

**MR. W. E. GLADSTONE :** The hon. Member will recollect that during the present Session a Debate was raised in this House in the interest of the protection of native labour for the purpose of promoting legislation in restraint, if not of the importation, yet of the existence and employment of foreign immigrants in this country. [*Hon. MEMBERS : Paupers.*] The Debate did not turn upon paupers at all, because it was expressly for the purpose of getting rid of persons who were employed ; and, so far as it turned upon paupers, it was declared that the Motion considered as paupers those who were actually in employment, and who would be paupers if they were not employed. Any attempt to restrain the importation of immigrants from abroad would be a question affecting the law of navigation, which would be excluded from the purview of the Irish Parliament. Such a proposal would involve negotiations with all the Powers with which we had Treaties, and that would be a strictly Imperial concern. It would be the absolute duty of the Viceroy to refuse compliance in any action of that kind. The hon. Gentleman said a difficulty would be created owing to the fact that there would be no Minister responsible in this House for Irish affairs. That is not a matter which requires notice in the Bill. There is no provision in any Act of Parliament making a Minister responsible to the House of

Commons for anything, but the House of Commons has no difficulty in bringing home responsibility to Ministers by the simple expedient of turning them out of Office. Let the hon. Gentleman bear in mind, first of all, that the Viceroy will be an Imperial officer, and therefore susceptible to the action of this House if the House chooses to interfere.

**MR. BRODRICK:** Will the Viceroy be a Member of the Cabinet?

**MR. W. E. GLADSTONE:** There is nothing to prevent his being a Member of the Cabinet; but responsibility is not limited to Members of the Cabinet. They can turn out anybody else who is not a Member of the Cabinet just as well as they can turn out a Member of the Cabinet; and when they do choose, in the exercise of their discretion, to turn out a Cabinet, the hon. Gentleman knows from his own personal experience that the other Members of the Government are also turned out. The fact is this—and I say here what I have said elsewhere again and again—if this Bill were criticised by the Irish Nationalists in the same manner and the same spirit as it is criticised by its present opponents, I should not know how to answer them. Such are the securities and safeguards taken in this Bill for the action of the Imperial Parliament, and for an entire reservation of every power necessary for the government of the Empire, that, in my opinion, if these captious objections were taken by the Irish Nationalists, I should not know how to answer them. There is no principle by which you can handle a Bill of this kind except that of reasonable trust in those who are to work it, and avoidance of the preliminary presumption that seems to be at the bottom of every suggestion that has been made, that, wherever power is given to other than Irishmen it will be reasonably used, but where it is given to Irishmen it will be unreasonably used. What is there to prevent the House of Commons from interfering to procure the dismissal of the Viceroy or from stopping the Royal Assent to a Bill which is altogether unreasonable? The hon. Gentleman said there would be great difficulties in finding fit persons in Ireland to carry on the work of government, because the Irish had had no practice in the work. I have seen a good deal of the action of

Irish Members. I am not speaking of purely political action, but of practical action. I recollect, for instance, one of the most complicated Bills ever passed through Parliament—the Land Bill of 1881—and I am able to say that of the few Members who mastered the complicated details of that measure there were certain of the Irish Members who had the most complete mastery of it, whereas I do not think I found one or two Englishmen who understood its machinery. The right hon. Gentleman who was formerly Chief Secretary for Ireland, I think, would also say that he had not found in those gentlemen any incapacity for such work. Where, then, is the difficulty? I have often known the wretched plea set up that because they had had no practice, the people of a country were not fit for free Institutions. Free Institutions carry with them their own education. In the case of Ireland, I rejoice to say that, notwithstanding the lamentable degree to which Irish personal action has been excluded from the work of government, the atmosphere of that House and the duties of Members have constituted those who sat on the Benches below the Gangway opposite perfectly competent for the discharge of the duties which will accrue to them under this Bill. I make no complaint of the tone of the hon. Member's speech, and consider that he was perfectly entitled to raise this question. I believe the hon. Gentleman has acted in perfect and absolute good faith; but it would be unprecedented, un-Constitutional, impolitic, and most unreasonable that the powers conferred by the Bill should be made revocable by the sudden and momentary action of a Resolution passed through by the Houses of Parliament.

**MR. A. J. BALFOUR:** The right hon. Gentleman has made an appeal to me with regard to the political capacity of the Representatives from Ireland, and certainly I am the last person in this House to dissent from the account which he has given of their capacity for Parliamentary debate, their mastery of difficult details of highly technical Bills, and their power of dealing in a free Assembly with all the points that arise on discussions of great questions of policy. Undoubtedly many of the hon. Gentlemen below the Gangway have shown the very highest qualifications described by

the right hon. Gentleman, and certainly neither I nor my hon. Friends never intended to impute want of capacity to the Members who so ably represent the Nationalist Party in this House. But this is really not a question of capacity, nor is it a question of character. Two distinct points have been raised—one referring to the Irish Executive and the other to the Irish Legislature. The right hon. Gentleman stated to my very great surprise that the Bill did not create an Executive in Ireland.

**MR. W. E. GLADSTONE :** What I said was that it did not confer Executive powers. Unquestionably, it creates an Executive in appointing the Council of the Viceroy.

**MR. A. J. BALFOUR :** My mind is not always subtle enough to follow the right hon. Gentleman in his distinctions. But I quite accept what I now understand him to have said, that the Bill did not create Executive powers, which being an abstraction could hardly be created, but that it did create the machinery by which the powers are to be carried into effect. That is the creation of an Executive, and the point we have to discuss is not whether the Executive is going to be composed of wise men or of foolish men, of good men or of bad men, but whether, when you have created this Executive if you leave it wholly uncontrolled by the Imperial Parliament, it might not perform acts in Ireland by which the Imperial Government might be very seriously embarrassed. I believe it will be found that in certain cases the separate States of America have done things which have very seriously embarrassed the Central Government at Washington; and all the consolation the Central Government could give to foreign countries which have felt themselves aggrieved by the action of the State Legislatures was to say they were very sorry, but that the Constitution of the United States prevented them from exercising any jurisdiction over the State Legislatures in the matter. The right hon. Gentleman is, of course, aware of these dangers, and he thinks they could be met by the fact that the Viceroy could be dismissed by a vote in the House of Commons. It is, no doubt, possible by the elaborate machinery of a Vote of Censure to get rid of a Viceroy; and as it is possible to get rid of him, it might, to a certain extent, be possible to

control his actions. But I deny that in all cases the Viceroy would have the power of controlling the Executive machinery. The Viceroy might have the very best will in the world to carry out the wishes and maintain the interests of the Imperial Parliament as distinguished from the Irish Legislature, but under the Bill you give him practically no power. The power rests with the Executive Council, with whose action there is nothing in the Bill which enables you in any way to interfere. Therefore, it is highly desirable that either in this clause or at some later stage of the Bill we should provide adequate machinery by which the vagaries, errors, or crimes—if vagaries, errors, or crimes there are—of the Executive Council might be restrained. I admit that the Amendment does not touch the question in an effectual manner, because, reading the words in their most natural sense, they deal with the powers not of the Irish Executive, but with the powers of the Irish Legislature. I now come to the second question raised, which is, whether it is possible or desirable to restrain the action of the Irish Legislature, and, if so, how far the Amendment effects that object. That the Irish Legislature may pass laws inflicting great injustice and great hardship has really been admitted. The very fact that three years, however inadequate a term that may be, are even by the Government themselves required to elapse before one great class of domestic legislation is touched, is sufficient proof that in their opinion it is not impossible that the Irish Legislature might use its powers in a manner which the Government themselves would very greatly regret. But there is force in what the right hon. Gentleman said with regard to the particular means of meeting the danger which my hon. Friend has proposed. My hon. Friend proposes that, in whole or in part, Amendments to a Bill passed by the Irish Legislature shall be introduced not by a fresh Bill, but by a Resolution passed in the House of Commons and in the House of Lords. I admit that that is a very great innovation, and to discover whether it is justifiable we must wait till we know what is to be done with the Irish Members in this House. This is another example of the extraordinary embarrassment in which we are placed by the total ignorance in which we stand as to

*Mr. A. J. Balfour*

the Resolution of the Government with regard to the presence or absence of the Irish Members. If it is the intention of the Government to revert to their plan of 1886, and exclude the Irish Members—a plan accepted by all the Irish Members at the time—then the suggestion of my hon. Friend would certainly be wholly unnecessary. The action of this House would not be in all probability impeded by the proceedings of a powerful and a united body of gentlemen absolutely determined that no change should occur, and, if any change were requisite, no doubt it could be effected without any very undue control. But suppose it became clear that, unless some restraint in regard to particular matters was imposed upon the Irish Legislature, great injustice was likely to occur, then the concentrated and uncompromising opposition of 80 gentlemen representing Nationalist opinions might undoubtedly have the effect of preventing the Imperial Legislature from taking any action whatever in restraining the Irish Legislature until the time for action was passed. Therefore, Sir, I say I cannot pronounce an opinion upon the expediency of my hon. Friend's suggestion until the Government vouchsafe to tell the Committee how they mean to deal with Clause 9, and I think it might be worth while to defer a final decision on the point to a later stage of the Bill, when it can be raised with far more effect and with far more complete knowledge of its necessity and its bearing. But at the present time we are kept by the Government in darkness so complete and absolute as to be unable to judge how far it is expedient or inexpedient to adopt the suggestion of my hon. Friend.

MR. T. W. RUSSELL (Tyrone, S.) had listened to the speech of the Prime Minister with a good deal of astonishment. Last night the right hon. Gentleman described an Amendment as ludicrous, and that night he had described the Amendment now under discussion as captious.

MR. W. E. GLADSTONE: I did not use the expression.

MR. T. W. RUSSELL said, then he, in common with many hon. Members of the House, was really incapable of understanding the plain meaning of the English language. The right hon. Gentleman was not unintelligible if he

was heard; but not infrequently hon. Members found great difficulty in hearing him; and perhaps it was for that reason that he had made a mistake. But what was the real point here? The real position of the Government was this. They looked at the future of the Irish Parliament with perfect confidence. They (the Unionists) did not. The Government were prepared to trust hon. Members opposite. They (the Unionists) were not. [AN HON. MEMBER: Why?] Why? Because of the record of these men; because of the lives they had led during the last 13 years, of the iniquities they had been guilty of, of the cruelties they had perpetrated, and of the dishonesty that they had openly avowed. A Government that was prepared to take these men on trust and to have perfect confidence in them had no right to object to those who did not trust them and had no confidence in them trying to obtain all the securities and safeguards they could get. The real point of difference was this—and he would deal with the matter not from an Executive standpoint, but from the standpoint of the Legislature. Let them assume that this Irish Legislative Assembly passed an oppressive Statute, what was to be the course of procedure in that House in regard to it? He should be told by hon. Members above the Gangway that the Imperial Parliament did not part with its power to set matters right if they were put wrong. Yes; but what chance would the Imperial Parliament have in reference to an oppressive Statute to put it right? Look at the situation that would be created under the Bill if a Statute were passed that the majority of that House considered oppressive! They had got 80 Irish Members, first of all, hanging on their flank to deal with; and what was more certain than that one Party would make terms with the 80 outside and bring them in, and the position of the Imperial Parliament in endeavouring to right the wrong done in Ireland would be almost intolerable? What was suggested by the Amendment was that, instead of going through all this difficulty and facing this uncertainty, it should be possible by an Address of both Houses of Parliament promptly to apply such remedy as Parliament might think necessary. He did not think that was captious criticism of the Bill at all, and those who were

concerned for the loyal minority in Ireland had a right to see that these safeguards were made real and should not be shams.

MR. BLAKE (Longford, S.) said, the hon. Member for South Tyrone suggested that there would be a practical impossibility of redressing wrongs and remedying gross abuses of the powers entrusted to the Irish Legislature by the normal action of the Imperial Parliament if this Bill should pass, because there would be a solid body of 80 Irish Members who would dominate the situation. No one knew better than the hon. Member that out of the 80 Members there would be 20, at any rate, on the side of the oppressed.

MR. T. W. RUSSELL: No; there will not. Look at your own Schedule.

MR. BLAKE believed there would be 20; but, at any rate, there would be some; therefore, the statement of the hon. Member was not correct. If they took 20 from the 80 Members that would leave 60, and take 20 from 60 that gave a net of 40 on the side of wrong and injustice, which was to overbear the sense of right and justice of that House. If this Bill, giving a Constitution to Ireland, was to proceed as it was proceeding, and to pass through that House in spite of the firm and uncompromising opposition of more than 300 Members, he wanted to know what the danger would be which was to prevent a Bill redressing palpable wrong and injustice passing through that House, though there were 40 Members presumably on the side of wrong and injustice? When Irishmen were content to accept the situation which put their Constitution—their permanent Charter—at the mercy, so to speak (although he preferred to say the sense of justice) of that House—when they were content to leave every Act of theirs to be subjected to the possible action of that House in future, when they would have only 40 or thereabouts to speak for Ireland according to his computation, was it not enough without suggesting that they, who were painfully building up that Constitution by the ordinary process and with the ordinary securities of Parliament against a compact Opposition of more than 300 Members, were not to have the benefit of the same Parliamentary securities which hon. Members were now using so exten-

sively and unflinchingly to prevent the construction of a Constitution, and that they were not entitled to use these same securities to the extent that 40 might use them in preserving unimpaired and in presenting their view with reference to subsequent Acts which might be impugned in that House? Irishmen acknowledged the right of the Imperial Parliament to interfere. They acknowledged that by a Bill any Act of theirs might be undone in England; but they contended that they were entitled to insist upon it that their Acts should only interfered with by a Bill.

MR. POWELL WILLIAMS (Birmingham, S.) said, the hon. Gentleman who had just spoken when he suggested that anything might be overt or wrong in the operations of the Executive of the Irish Government—if it ever got one—

MR. BLAKE: I did not say one word about the Executive; the clause does not, and the Amendment does not.

MR. POWELL WILLIAMS thought they were speaking to an Amendment which concerned the Executive of Ireland. ["No, no!"] Then, like other hon. Members of that House, he had failed to understand the speech of the right hon. Gentleman. But his object was rather to deal by way of illustration with a point which was raised by the Leader of the Opposition. That right hon. Gentleman referred to the United States of America, and to the difficulties which had arisen in their Constitution through the very large powers which the States possessed; and he said that very often all the Central Government could do, when cases of difficulty arose involving their relations with foreign countries, was to say—"We are very sorry." But they had had to say something a good deal more substantial than that they were very sorry, for in certain cases they had had to pay heavily through the unconstitutional action of certain States. He would remind the Committee of what recently took place in New Orleans affecting the Italian Government. There was an attack upon the Italian inhabitants of New Orleans. A certain number of them were killed, and the Italian Government immediately claimed from the United States that there should be remedies—

*Mr. T. W. Russell*

MR. T. M. HEALY : Mr. Mellor, is this relevant to the Amendment ?

THE CHAIRMAN : It is merely an illustration.

MR. POWELL WILLIAMS (continuing) observed, that the Italian Government claimed from the Government of the United States that there should be remedies for these deeds, and that the perpetrators of them should be brought to justice. But what did they find ? The Central Government of the United States declared they had no power whatever to interfere with the Executive of the particular State. They remonstrated with the State of Louisiana entirely in vain ; and, as a result, the Central Government, through the action of an independent Executive which it had set up in one of its own States, had to pay a sum of 25,000 dollars as compensation to the families of the persons killed. Then they had a distinct, concrete case of a difficulty arising with a foreign State, and he did not think they could have a stronger illustration of the necessity of keeping their hand and power directly upon any possible unconstitutional action of the Executive it was proposed to set up in Ireland.

MR. ROSS (Londonderry) commented on what he described as the invincible repugnance of the Government to every Amendment which proposed to deal with supremacy, or the method of asserting that supremacy. The Members of the Government had declared they were ready to accept a proper Amendment in the enacting part of the Bill declaratory of the supremacy. He was sure that, ancillary to that, they would be willing to accept some reasonable method for making that supremacy effective ; but, to all Amendments up to the present which had been put forward by the Opposition, they had shown a most determined resistance. There were two things on which the Opposition were determined. There were, first, that there should be in the enacting part of the Bill an ambiguous expression of the supremacy of the Imperial Parliament ; and, secondly, that there should be some means for making that supremacy effective. The whole question of supremacy seemed to have got into a haze. There was no clear idea on the other side of the House of what the supremacy should be, and he fancied that hon. Members who supported

the Government differed very much among themselves on the subject. He ventured to say if the average hon. Member opposite were asked what was meant by the inalienable supremacy, it would be found that all he had in his mind was that England was the stronger Power and could at any time enforce her wishes by the exercise of *vis major*. They should never arrive at any clear method of supremacy so long as the confusion existed. There could be no degrees of supremacy, and when once supremacy existed, it must pervade all branches of—

THE CHAIRMAN observed that the hon. Member was not keeping to the Amendment.

MR. ROSS said, his argument was that hon. Members had no clear idea of what supremacy was ; but he would not pursue the subject. As he understood the Amendment assuming supremacy to exist, it proposed a summary method of enforcing it. No matter how great the faith of hon. Members opposite might be, they surely must admit that the people in the North of Ireland had some grounds for suspecting that the great powers to be entrusted to the Irish Parliament might be abused, and they demanded as a matter of right that some means should be given to the Loyalists to protect themselves. They could not wait for an Act of Parliament, which might be obstructed in that House. The point he wished to put before the Committee was this—when any great danger arose on account of the exercise of some of the powers on the part of the Irish Parliament the Loyalists asked for a summary remedy. In his judgment the Amendment suggested a reasonable remedy ; and he really failed to understand, if the Government were sincere in their professions, why they would not accept some Amendment of that character. The Home Secretary had said that if right hon. Gentlemen agreed to give these powers to Ireland, they must not have a petty, peddling interference with the powers they so conferred. This method, which was suggested by the Amendment, would not be made use of on every petty occasion, but would only be exercised on occasions of great danger and emergency ; and, that being so, he had as yet heard no real answer against the adoption of the Amendment.



SIR E. REED (Cardiff) preferred to speak of the Amendment from the point of view of one who hoped that if a Legislature was established in Ireland it might work wisely and well, and that it might not be hindered and restrained by unnecessary and unjust restrictions. He very much doubted whether it would be fair to any Legislature to subject its legislative power to interference by mere Address to both Houses of Parliament. He was one of those who thought it was highly probable, judging from the different methods and spirit that animated many of the Irish Members from those which prevailed among those who were not honoured by being Irishmen, that the Irish Legislature would pass laws which would be very painful and objectionable to the Imperial Parliament. It was desirable, therefore, if such laws were passed, that means should be found to enable them to be corrected by the Imperial Parliament. But he thought the Irish Legislature would have no chance whatever of conducting the affairs of the country with success and advantage if the Imperial Parliament was to set it up, as it were, with a lash of this nature held over it. Hon. Members opposite seemed to demur to the suggestion that their methods and spirit of action were somewhat different from his and that of other Members near him. But it was a remarkable fact that the moment an hon. Member ventured to speak a word of criticism about the Bill his Irish supporters flew at him. He should like to know why the Irish Members of any constituency were to dictate to Representatives as to whether they should speak and discuss any measure in its details or in its principles? It must be borne in mind by hon. Members that the Committee were discussing this Bill under conditions which the Prime Minister had told them in 1886 were dangerous. He, for one, at almost every stage of that Bill felt that they did run considerable risks from passing a Home Rule Bill for Ireland against the majority of voices in Great Britain and under the practical dictation of an Irish majority. He thought there was a danger, and for the reason that it was dangerous he thought that the Government should grant every possible opportunity of debating points of danger as they arose. He should claim the right

to discuss the measure from that point of view, and to point out what he thought would be of advantage alike to the House of Commons, to the Empire, and to Ireland. He objected to the Amendment and should vote against it, because he did not think that it was a proper method of exercising the authority of the Imperial Parliament over a subordinate Parliament. He believed conscientiously that Irish Nationalist Members were most anxious to profit by the present situation by entering into reasonable engagements for the purpose of guaranteeing the propriety and efficiency of their action in the future Parliament of Ireland; but he could not attach too much value to that. He was rather surprised himself to hear occasional speeches from the Front Bench in which they were reminded that the Irish Nationalists accepted this or that, and did not criticise this or that, but accepted the Bill most readily, and seemed to show a statesman-like quality in doing so. He agreed with that view. He thought nothing would be more unstatesmanlike than to expect from the Irish Nationalists anything but a most cordial support of the Bill. But he said, on the other side of the question, that if he were an Irish Representative and wished to make the future Legislature worth anything, he should object in the strongest possible manner to this proposal, because he did not believe that, if it were adopted, the Irish Legislature would have a fair chance. Could they expect that the Legislature of Ireland would be as good a Legislature if they fettered it by unwise methods and proceedings as if they gave it the reasonable freedom which any Legislature might enjoy for the purpose of doing its work properly? He thought not. He hoped before the Bill passed through Committee to see some sort of a clause introduced which would give greater expression and security to the supremacy of the Imperial Parliament; but he must say he did not think this was a proper mode of dealing with it. If this Irish Parliament was properly constituted and if it was left reasonably free he should not have any great fear of Irish legislation, because Irishmen would know well that any oppressive legislation passed by it would be met and dealt with by the Imperial Parliament. He did not think it would be a right thing

to put the Legislature of Ireland under the control of this Amendment. He thought to do so would have an irritating and injurious effect; and he should, therefore, vote against it.

Mr. ARNOLD-FORSTER (Belfast, W.) ventured to suggest to the Prime Minister that if, as appeared to be the case, they had not the advantage of entirely apprehending all that the right hon. Gentleman had endeavoured to make clear to them, he, on his side, had also failed to understand one very essential portion of their case. Had the Government looked at matters in a proper light they would have saved considerable time and trouble. It was said that the Amendment was not justified. Well, the justification for the Amendment was that there was a radical discrepancy between the views of the Government and those who represented the minority in Ireland with regard to the main issue. And what was the main issue in Ireland? It was that the Government did trust, but the loyal minority did not trust, the future Legislature which it was proposed to set up in Ireland. The Prime Minister urged them to show confidence in hon. Members opposite. He (Mr. Arnold-Forster) had not long been a Member of that House; but as a visitor he had often listened to its Debates, and on four occasions he had heard the eloquent perorations of the right hon. Gentleman, in which he assured them that if some particular legislative change were effected with regard to Ireland they would see an absolutely new state of things. He had heard other speeches of like purport since he had been in the House. But not one single prophecy of the right hon. Gentleman had come true. Hon. Members had some right to be suspicious; they had some reason for their distrust on the ground of what the Prime Minister had done, but more especially on the ground of circumstances that were within the common knowledge of them all. The Prime Minister said that free institutions brought their own education. But what free institutions had Ireland lacked during the last 20 years? There had been no distinction between the free institutions of the two countries, except that the laws regulating Ireland were more favourable than the laws in England and Scotland; and if there had

been any departure from those institutions it had been when the right hon. Gentleman himself had thought fit to curtail certain powers because they had been abused. That being so, had they not some reason for mistrusting the honesty of the men who would be their future rulers? He did not want to put the matter too finely; but he supposed that such an occurrence as this might take place:—They might have hon. Members opposite sitting in the Upper or Lower Divisions of the Legislature in Dublin and lending themselves to a policy which, to their minds, was right and honourable, but which, to the minds of hon. Members of that House, was neither right nor honourable. If hon. Members of that House were to find themselves face to face with the results of the policy that had been promised by hon. Members opposite, they would be in a very serious position if they could not give an immediate counter to the execution of that policy. The very fact that the Committee was now asked to accept the clause upon the assumption that hon. Members opposite had on a few recent occasions given their testimony in favour of a policy of conciliation was only worth anything at all if they assumed that everything that these hon. Members had said scores and hundreds of times was absolutely not to be believed. Without some such provision as was suggested in the Amendment, they might have hon. Members opposite bringing in some legislative project affecting the police in Ireland and carrying it. There might be hon. Members who would believe it was the duty of the Irish Legislature to act vindictively towards the Royal Irish Constabulary; and the views of hon. Members in Dublin of what was just to the Irish Constabulary led him to doubt very much whether their views as to what was just and right would coincide with the views of hon. Members in that House. There might be the widest divergence of views, not only with regard to persons, but also with regard to property. He could understand hon. Members saying, as had been said, that they did not consider that the Irish Legislature would be under any finicking obligation of honour in dealing with the landlords in Ireland, and they might think it would be a very good thing to disregard the

obligations of honour. If that view were carried out, they would be face to face with an amount of injustice and tyranny that would require instant action by that House. He would venture to remark that the Prime Minister had not grasped the depth, intensity, or reality of the position under this clause; he did not appear to remember that he was dealing with the lives and fortunes of men and women. That was the whole point of the Bill. The Unionists insisted upon this and other Amendments, because they knew what had been done in the past, and because they had been promised in black and white by the hon. Member for East Mayo and others that worse things would be done in the future. They wanted protection. The hon. Member for South Longford had said that the Imperial Parliament had a right to interfere with any unjust legislation that the Dublin Parliament might pass. He told them that some 40 Members would be returned—

MR. BLAKE said, he did not say that. He said there would be 20 of a minority and 60 on the majority side, leaving a majority of 40.

MR. ARNOLD-FORSTER said, he apologised if he had misunderstood the hon. Gentleman. But did he forget the position of the Irish minority under the Bill? He hoped that the Committee would not forget that the Bill provided that in county after county the representation, which was now a Loyalist representation, would be interfered with. In one case 15,000 persons would return five Members to support the Party to which the hon. Member belonged, while 36,000 persons would only be able to return five Members to support the Party to which he (Mr. Arnold-Forster) belonged. [*Cries of "Order!"*] He was not transgressing—he was merely speaking to the point raised by the hon. Member for Longford. They were told there would be effective protection, but the practical gerrymandering of the Schedules to the Bill would place the minority in Ireland absolutely at the mercy of hon. Members opposite. If this clause did not pass in its amended form it would be necessary to insist upon some parallel Amendment; for, unless some power which had its origin in the Imperial Parliament should stand between the Loyalists in Ireland, and especially in the South of Ireland,

*Mr. Arnold-Forster*

and the direct oppression which had been promised to them over and over again in the clearest words by hon. Members opposite, and which they had declared it would be their duty and their pleasure to put in force when they got into power, they would deprive Her Majesty's subjects of that liberty and protection which made life tolerable.

MR. BRUNNER (Cheshire, North-wich) said, as there appeared to be no intention to press the Amendment, and as the discussion had gone on long enough, he had to move that the Question be now put.

Several hon. MEMBERS rose—

MR. T. W. RUSSELL said, he rose to a point of Order.

THE CHAIRMAN: What is the point?

MR. RUSSELL said, he desired to ask whether, after the ruling of the Speaker on the subject the other day, it was competent for the hon. Member to preface a Motion for Closure by a speech?

THE CHAIRMAN: The matter does not arise. It is hardly time for the Closure to be moved.

Debate resumed.

MR. MACARTNEY (Antrim, S.) said, that the criticism of the hon. Member for South Longford, assuming that the hon. Member was entitled to take the Bill as it stood, entirely lost all its force, unless the Prime Minister was now prepared to state to the Committee that Clause 9 was to remain as it appeared in the Bill. If the Government continued to leave the Committee in obscurity on some of the most important clauses of the Bill they must expect that hon. Members representing the minority in Ireland would continue to move Amendments for the purpose of mitigating the evil effects of the Bill, and so securing that peace, order, and good government should be maintained. They were asked to rely on the ability of the Irish Members. He agreed with the Prime Minister that the Irish Members had shown considerable ability; but that did not prevent their ability from being directed into wrong channels. It had been directed to the destruction, and had been destructive of peace, order, and good government. Surely the Prime Minister was not justified in

supposing that the considerations and influences which affected the Irish Party in the past were to cease active operation because a Legislature was established in Dublin? He (Mr. Macartney) was convinced that those considerations affecting the prosperity and welfare of Ireland would be more likely to be active, because the seed which had been sown by prominent politicians in Ireland would only then begin to bear its full fruit. There were, no doubt, hon. Members on those (the Irish) Benches who would wish to conduct the business of an Irish Parliament in a manner consistent with the traditions of the English Parliament; but those few hon. Gentlemen would not be able to control the forces behind them. They had aroused a spirit which they would have to satisfy. To put it as it had been roughly put to him, the Nationalist feeling in Ireland was in reference to the present representation—"Oh," it was said, "the men who are in Parliament now are good enough for what they have to do. When we get Home Rule, we will send to Dublin men more accurately representing opinion in Ireland"—and these new men, without experience of Parliamentary life in England, or of ever having been in touch with Executive power, would control the Irish Government! As to the misuse of the ability of the Irish Members, he would remind them of the ability displayed at Tipperary; if the same extravagance were shown in the Irish Legislature it would soon lead to the bankruptcy of the Irish Exchequer. They had also seen how this ability had been exercised in commercial life. There was the spectacle of *The Freeman's Journal*. [*Cries of "Order!"*]

THE CHAIRMAN asked the hon. Member to confine himself to the Amendment.

MR. MACARTNEY said, he was only giving an instance of the spirit in which an Irish Legislature would be conducted. [*Cries of "Order!"*] He was speaking in a perfect covey of Deputy Chairmen, and, therefore, it was difficult to keep the chain of his argument. He would content himself by saying that he should support the Amendment, because, whether it was the best method for attaining its object or not, it would, at least, assert the right which the Irish minority claimed.

\*MR. H. S. FOSTER (Suffolk, Lowestoft) said, he had not intended taking part in the Debate, but he had not previously taken part in the proceedings of the Committee, and he thought English Members had as much right to be heard as the Irish, for they had just as great an interest in the matter. It was refreshing to hear a Member of the Gladstonian Party suggesting, as the hon. Member for Cardiff (Sir E. J. Reed) had suggested, however timidly, the right of private judgment. Most of the Party opposite—[*Interruption*—] had abandoned that right. The Government were not prepared to listen to any arguments. [*Cries of "Question!" and "Order!"*] They were entirely in the hands of their Irish followers. [*Renewed interruption.*] Unless there was an indication from the Irish Party that they were prepared to accept the Amendment, the hands of the Government were quite bound, and he offered them his sympathy. [*Cries of "Order!"*] Many hon. Members of the House had had to complain of these interruptions—even eminent Members. He had hoped that a new Member might not be subjected to them; but courtesy was a practice unknown on the Nationalist Benches. He said the Government was entirely in the hands of the Irish Members. Since the Prime Minister had decided to follow the Irish Party all argument was lost upon him. [*Renewed interruption.*]

THE CHAIRMAN: I am afraid I must say that the hon. Member is out of Order. The hon. Member must confine himself to the Amendment.

\*MR. H. S. FOSTER said, he was merely pointing out that the Government were in the hands of the Irish Members. If the Mover went to a Division he should certainly support the Amendment, because it would restrain the future action of the Irish Legislature; and with respect to that Legislature the Opposition had grounds of reasonable suspicion. The Government ought to understand what that meant, because a good many of their Irish supporters were imprisoned by the Prime Minister on grounds of reasonable suspicion. [*Interruption.*]

THE CHAIRMAN: It is absolutely necessary for the hon. Member to keep to the Amendment. [*"Cries of Divide!"*]

\*MR. H. S. FOSTER said, that his reasonable suspicion was grounded on the action of the Irish Members both inside and outside of the House. [*Interruption.*] The hon. Member for Cardiff had told the Committee that as soon as he exercised the right of private judgment his Irish constituents flew at his throat. [*Cries of "Question!" and interruption.*] Was the conduct of the Irish Party in the House on this present Bill worthy of any deliberative Assembly? It was hardly possible for any opponent of the Bill to string two sentences together without perpetual interruption from the Irish Party. [*"Hear, hear!" and cries of "Divide!" and "Question!"*] Were they not justified in coming to the conclusion that if the same men had power in Ireland they would show the same intolerance there as they did to their opponents in that House? No independent Member wanted better example of what an Irish Legislature would be like than to watch the action of the Irish Party towards their opponents in the House of Commons. [*Interruption.*] They could have no confidence in these men. Their conduct justified him in saying—and he submitted to the Committee—that they were entitled in face of it to vote for every restriction that would fetter the hands of the Nationalist Party in Ireland.

MR. BRODRICK, who rose amid cries of "Divide," said, the discussion had brought out from the Prime Minister the declaration that he was not at variance with the Unionist Members in regard to giving the Imperial Parliament proper control over the Irish Parliament. Having regard to that opinion, and in view of the fact that the Government seemed to think that his object would be effected in a better form than that suggested, he would ask the leave of the Committee to withdraw the Amendment—["No, no!"]—reserving to himself the right, unless a more satisfactory arrangement were secured, to re-introduce it on Clause 9.

MR. PARKER SMITH (Lanark, Partick) rose—

Mr. John Ellis rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided :—Ayes 300 ; Noes 244.—(Division List, No. 87.)

Question put accordingly, "That those words be there added :"

The Committee divided :—Ayes 247 ; Noes 303.—(Division List, No. 88.)

MR. DARLING (Deptford) said, he had given notice of the following Amendment :—

"Provided always, that if any Irish Act is inconsistent with an enactment made by Parliament after the appointed day, and expressly extended to Ireland, it shall be read subject to that enactment made by Parliament, and shall, to the extent of such inconsistency, be wholly void and inoperative."

He thought it would be better to move the Amendment on Clause 33 ; therefore, he would not now ask the Committee to consider it.

\*SIR H. JAMES (Bury, Lancashire) : I beg to move to add at the end of the clause—

"Provided that in the making of such laws, and in all matters pertaining to the carrying out of the powers conferred by this Act, both Houses shall, except as in this Act provided, have equal rights, powers, and privileges."

I can assure the Committee that this Amendment is not submitted in a spirit of "captious criticism." I hope that some hon. Members who support the Government will see that the question ought to be dealt with in some practical manner. The Committee has determined that there shall be two Houses of Legislature in Ireland. This decision was arrived at on arguments used by the right hon. Gentleman the Prime Minister and the right hon. Gentleman the Chief Secretary to the Lord Lieutenant. A section of Members—a large section—sacrificed the opinions they entertained in deference to those arguments, for there are many strong supporters of the Government who hold the view that Second Chambers are objectionable. Arguments were addressed to them to the effect that in this particular instance a Second Chamber was necessary in order that there should be a safeguard established—that they should give up their opinions and apply to the conduct of legislative affairs in Ireland the safeguard of a Second Chamber. I am sure that hon. Gentlemen who support the Government, and who voted in favour of the creation of a Second Chamber, even if they sacrificed their opinions, did not intend to make

this Second Chamber a Second Chamber in name only. I would submit to the Committee that if the Bill remains as it is framed, without Amendment in the direction suggested, the Second Chamber will become, or may become, perfectly useless, will afford no safeguard whatever, and supporters of the Government who voted for it will have voted for it in vain, without receiving any return for their sacrifice of principle. I would point out the position in which this Second Chamber now stands. In the 1st clause it is provided that the two Houses of Legislature shall make laws for Ireland; and I think that does bring within it the necessity that the two Houses shall take some part in making laws; for, although there is no express declaration to that effect, it is implied that the two Houses shall take part in making laws. Beyond that this House has done nothing in respect to the construction of a Second Chamber as a part of the Constitution. And the Committee must recollect that when a statutory Legislative Body is constitutionally formed, subordinate to the body forming it, that Legislature so constructed never can, without receiving express powers, interfere with its own Constitution. All the power conferred must be defined by the Body which creates the subordinate Parliament; and unless we take care in the construction of this new Constitution we shall find that we have left to the statutory Parliament the right to alter its Constitution. We must see that the Second Chamber is not merely a name, but that it shall have real powers conferred upon it, so that it may act as a check upon unwise legislation. The only references I think you will find in this Bill to anything that can approach what I have termed the construction of the constitution are those in Clause 2, Clause 8, which I think deals merely with a question of procedure, and Sub-section 2 of Clause 32. At present the Bill confers no power on the Second Chamber except, by implication, gathered from the words of Clause 2. I understand the intention to be that the Second Chamber should take an equal part in making laws with the Legislative Assembly. If it is said that the Legislative Council is only to take a very small part in the work of the Irish Legis-

lature, the power of that Body might be reduced to such small dimensions as practically to be non-existent. Inasmuch as the Bill does not attempt to confer power on the Second Chamber, you are going, in fact, to leave to the Irish Legislature the limitation of the power of that Chamber. That, I am certain, is not the intention of the Committee, and it is only to remedy this defect that I ask the Government to consider this Amendment. Let us see how the matter would work out. In the Legislative Assembly, without a doubt, the Nationalists would be in a majority. As to the Legislative Council, I have heard no calculation of the relative strength of the two Parties that would not give to the Nationalists a majority in the Chamber. I think the most sanguine calculation of the numbers places the minority at 20 out of the 48 Members of the Council. If you leave to the Irish Legislature the power of settling what are to be the duties of the Second Chamber, you will leave it to the majority to destroy the safeguards which are intended to be the protection of the minority. Supposing the question has to be dealt with by Irish Act of Parliament. In that case, immediately after this Bill came into operation it would be necessary to determine the powers of the Chamber. Of necessity a Bill would be introduced into the two Chambers, the voting upon which would be controlled by the Nationalist majority in each Chamber. That Bill might reduce the power of the Second Chamber to nothing at all. It might say that the Second Chamber should not initiate a Bill. I ask the Committee is that its intention, and ought that to be its intention, when we are framing the Constitution of a subordinate Body? Ought not we ourselves to bear the responsibility of saying what the powers of the Second Chamber should be? The 2nd sub-section of the 32nd section provides that—

“The privileges, rights, and immunities to be held and enjoyed by each House and the Members thereof shall be such as may be defined by Irish Act.”

I do not think that that means that the power of the Second Chamber is to be defined by Irish Act; but if it is not so, the whole subject is left untouched. In the 18th section it is provided that Money Bills shall not be introduced in the

Second Chamber. That section makes the Legislative Assembly something like the House of Commons, and makes the Second Chamber something approaching the House of Lords, where Money Bills cannot be introduced. What can be the objection to inserting an Amendment providing that the Second Chamber shall not be entirely crippled by the vote of the Irish Legislature, but that it should have powers which may constitute it a safeguard? Unless such an Amendment be adopted, the Second Chamber may be a skeleton house, and nothing more. The hon. and learned Member for Haddington (Mr. Haldane) said it was only a skeleton, and that the procedure of the Legislature in Ireland would be filled up with what he called the Common Law procedure of Parliament. I deny the accuracy of that argument. There can be no Common Law pervading the procedure of the Irish Legislature. Where would it come from? The Legislature will be a Statutory Body, and can, therefore, have no powers beyond the powers which are conferred upon it by Statute. It will be unable to introduce the traditions of the old Irish House of Commons, and we cannot convey to it the traditions of this House of Commons, or the spirit of our procedure here. If we shrink from the duty of ourselves defining what the powers of the Legislative Council are to be, and leave it to the majority in the Irish Legislature to say what shall be the relative powers of the two Chambers, we shall not set up a Second Chamber which can be a safeguard to the minority, but shall simply erect a sham which will be worse than useless. There is much more that I think could be said in support of this Amendment. I am not asking that we should proceed in an arbitrary manner; I simply ask that we should declare that in all matters respecting the making of laws and pertaining to the carrying out of the powers conferred upon the Bill both Houses shall, except as otherwise provided, have equal rights, powers, and privileges. May I respectfully ask the Prime Minister not to use one argument against my Amendment? I hope he will not say—"If we give you this Amendment, will you support the Bill?" I think that would be a one-sided bargain. The price he offers me is not good enough.

*Sir H. James*

MR. W. E. GLADSTONE: I have not offered it.

\*SIR HENRY JAMES: I was asking him to be kind enough not to offer it. That was the offer he made to my right hon. Friend (Mr. J. Chamberlain). [*Cries of "No!"*] I beg pardon, but it was so. The question was put to my right hon. Friend—"If I accept this Amendment, will you support the Bill?" and that offer was cheered very loudly. But how can such an argument be used against us? This Bill contains 40 clauses. We suggest an Amendment on one clause, and my right hon. Friend wants us to accept the other 39 clauses if he agrees to the one Amendment. If we say no to his offer the cheers are very vociferous at our expense. I will tell my right hon. Friend what would be a sufficient offer. If he would agree to let us amend every clause in the Bill we would consent to accept the Bill, but I do not think my right hon. Friend would afterwards recognise his measure, and I admit I do not think the Committee would regard the Bill as worthy of being passed in its amended form.

Amendment proposed,

In page 1, line 18, at the end of the Clause, to add the words—"Provided that in the making of such laws, and in all matters pertaining to the carrying out of the powers conferred by this Act, both Houses shall, except as in this Act provided, have equal rights, powers, and privileges."—(*Sir H. James.*)

Question proposed, "That those words be there added."

MR. CARSON (Dublin University): I desire to say only one or two words with regard to this Amendment, and I do so because I do not think it at all clear what, under the terms of the Bill as it stands at present, the intentions of the Government are in relation either to the First Chamber or the Second Chamber. As far as the 2nd section is concerned, I should certainly be of opinion that if the Bill is to pass in its present form the two Chambers would have exactly the same rights. Of course, if I was perfectly satisfied that that was the intention of the Government, and if I thought that was the construction of the Bill, taking the measure as a whole, I should not have thought it necessary to intervene in the Debate. But when I come to look at the 8th section, I think it throws an entirely different light on the

2nd section; and it leads me at once to the idea, which may be entirely erroneous, that it is not proposed by the Bill to confer equal powers on the Upper Chamber, if I may so describe it. The 8th section says—"If a Bill or any provision of a Bill adopted by the Legislative Assembly is lost by the disagreement of the Legislative Council," the two Chambers are to sit together for the purpose of seeing whether they can amend their differences or whether it is necessary to hang up the Bill or have a Dissolution. To my mind, it is plain that the only originating power recognised by the 8th section is in the Legislative Assembly. The section does not go on to provide or suggest that if the Legislative Council performed the same functions they would have the same power of summoning the Legislative Assembly and going through the same process. Taking the two sections together, the real construction is that the Legislative Assembly only are to have an originating and initiating power, and that no such power whatever is to be conferred upon the Legislative Council. Is that the intention of the Government? It certainly seems extraordinary that the matter should be left in a state of doubt. I think the Chief Secretary is under the impression that the Second Chamber will, under the Bill, have equal originating powers. I should like to have some explanation as to what is to be the method of procedure by which the Upper Chamber, after originating a Bill and passing it, may force the Lower Chamber against its will to consider it. Is there any reason why the Upper Chamber should not have originating or initiatory functions conferred on it? You will observe the mode of procedure is this: that when the Lower Chamber passes a Bill, and the Upper Chamber refuses to agree to it, the two Chambers will deliberate together; then why should not the same process be followed when the Bill is initiated by the Upper Chamber and objected to by the Lower Chamber? I have been of opinion all along that the Second Chamber will be of no use as a safeguard; but, at the same time, I think that, as the House is going to give this safeguard against our will, we have a right to see that it is a real and not a sham safeguard. It seems to me that if the Upper Chamber had an

originating power, that might be a substantial benefit and protection to the minority, because, assuming that the Chamber is a real Second Chamber, many persons represented in that Chamber will not be represented in the Lower Chamber, and their views could be put forward in the shape of a Bill which never could be brought into the Lower Chamber at all. For these reasons I respectfully press on the right hon. Gentleman that there is really a substantial question involved in this Amendment, and that unless you give the Upper Chamber co-equal originating powers with the Lower, it will be no use as a safeguard.

MR. W. E. GLADSTONE: If my right hon. Friend is content to provide for the exercise by the Upper Chamber of the powers properly and ordinarily appertaining to a Legislative Chamber the Government will have no objection whatever to the substance of the Amendment. Our opinion, however, is that it would come in more properly in Clause 32, and probably it would be better that the Amendment should stand over until that clause is reached. It has always been the intention of the Government that the Second Chamber shall have initiating powers, and I am astonished at the suggestion of the hon. and learned Gentleman opposite. He said he thought it was quite clear that there never was any intention of allowing the Upper Chamber to initiate legislation. The fact that it is stated in the Bill that they shall not have the power to introduce Money Bills is enough to show the contrary. The hon. and learned Gentleman said he would admit it was doubtful. There is no question at all of abridging the privileges of the Second Chamber with respect to those powers which ordinarily attach to a Legislative Body. The Government desire that those powers shall be possessed as fully and largely by the Upper Chamber as by the Lower, except with reference to Money Bills. I trust my right hon. Friend will see there is no substantial reason for taking a Division, and I hope he will be inclined to acquiesce in the view that this Amendment should be introduced in a subsequent clause.

\*SIR H. JAMES: I quite admit, as a general rule, the claim of those in charge of a Bill, when they accept an



Amendment, to select the place in the Bill in which it should be inserted. I shall be glad if the right hon. Gentleman will indicate what words he will accept.

MR. W. E. GLADSTONE: My opinion is that the Government would be disposed to accept the first portion of the Amendment, as to the making of laws and all the other offices and powers ordinarily attaching to a Legislative Chamber.

MR. COURTNEY (Cornwall, Bodmin) was glad that the statement of the Prime Minister had removed existing doubts with reference to the exceptional power provided by the Bill, and that he had promised that the two branches of the Legislature should have equal power. But in the 8th clause there was a provision settling the disputes between the two branches of the Legislature. Amendments had been placed on the Paper establishing perfect equality between the two Chambers, and when the proper time came they could discuss the desirability of providing for cases in which the Lower Chamber rejected a Bill initiated by the Upper Chamber. The Prime Minister said that this Amendment would come more appropriately on Clause 32, but the clause said that the privileges of the Houses should be settled by Irish Act subject to a Proviso. They were anxious, however, to have this equality settled by this Bill.

MR. W. E. GLADSTONE: That will be done by Imperial enactment. I desire to keep a free mind in regard to the provisions against a dead-lock, but I repeat that the intention of the Government is to provide that on matters and powers which ordinarily attach to a Legislative Chamber there shall be a perfect and *bonâ fide* equality between the two Chambers.

\*SIR H. JAMES: After that statement of the Prime Minister I will ask leave to withdraw the Amendment. I hope we shall not have any difficulty in determining the words to use when we come to Clause 32.

MR. SEXTON said, that the Amendment was a very important one, and the Committee ought to consider the language in which it was to be phrased. The Prime Minister had done nothing more than was absolutely necessary in determining to reserve the question of reciprocal action of the two Chambers,

*Sir H. James*

in regard to a joint Session, until the Committee reached Clause 32. He was not prepared to say that absolute reciprocal action between the two Houses would be desirable or convenient; but he understood that the question was an open one. He shared the perplexity of the Prime Minister as to the meaning of some of the words in the Amendment. He had no objection as to the making of the laws by the two Houses being equal; and in all that ordinarily attached to the functions of a Legislature, the two Chambers might have equal powers. But he was doubtful what might be intended by including in the language of the right hon. and learned Gentleman—

“And in all matters pertaining to the carrying out of the powers conferred by this Act.”

This meant Executive action. If the right hon. Gentleman meant that the tenure of office by the Executive Committee of the Privy Council in Ireland was to be affected in any way by the Legislative Council, the Irish Members should meet the proposal with a flat denial.

\*SIR H. JAMES: I do not intend to go back from what I have said, but there must be no misunderstanding as to our position. We do not intend that the Legislative Council shall be reduced to an absolute nullity in the way in which the hon. Gentleman has stated. In the power of expressing an opinion we claim that there shall be equal power of action, except in cases specially provided for.

MR. W. E. GLADSTONE: I entirely agree with my right hon. Friend, and subscribe to everything he has said. The Upper Chamber ought to have the power of censuring the Government in the same way as the House of Lords possesses it. Of course, we cannot in this Bill provide what effect such a condemnation ought to have, either on the Government or on the country.

Amendment, by leave, withdrawn.

MR. KIMBER (Wandsworth) said, he wished to secure the insertion at the end of the clause of the words—

“The question, whenever it arises, whether any law passed by the Irish Legislature does or does not relate exclusively to Ireland, shall be determined by Parliament, in manner herein after provided.”

The object of this was to secure for this Parliament the right of interpreting its own Acts. He was aware that in Clauses 22 and 23 there were provisions dealing with the powers of the Irish Legislature, and no excess of jurisdiction on its part by referring such questions for decision to the Privy Council. But that would not meet all grievances or cases of hardship which might arise in the dim, distant, and uncertain future after the passing of the Act. Some cases might arise in which it would be a denial of justice to refer them to a costly legal tribunal like the Privy Council. It seemed to him very fitting that this House should be the interpreter in any cases that might arise, and that they should reserve to themselves the right of decision. He had frequently known cases in which the Judges had been puzzled as to what the mind of Parliament was with regard to some particular Statute. He submitted, therefore, that some machinery of a simple character ought to be erected by which any Party could appeal to this Parliament to express its opinion as to any act done by the Irish Legislature, or as to any law that might be passed by it; and he thought it would be a denial of justice to compel a person aggrieved to go to the Privy Council by instituting a suit, or to the Lord Lieutenant or the Secretary of State in order to get him to move in the matter. He therefore referred, in the concluding part of his Amendment, to the machinery he proposed to add in a separate clause at the end of the Bill, and which he had already down on the Paper. It was simply that any subject of Her Majesty who felt aggrieved by any law passed by the Irish Legislature, or by any Act of the Irish Executive, or by any proceedings, either civil or criminal, that might be taken against him, should be at liberty to state his grievances by simply writing a protest, and stating the grounds upon which he considered he was aggrieved; and that Her Majesty's Attorney General should then place that protest before Parliament, unless he should certify upon the protest that there was no reasonable grounds for the appeal. The protest would thereupon come before Parliament for its decision; and if either House should resolve that the act done, or the law passed, exceeded

the power of the Irish Legislature or the Executive, such act done or law was to be suspended in its operation. He implored the House not to part with the right of the interpretation of its own laws; and for these reasons he moved the Amendment with the three words omitted.

Amendment proposed,

In page 1, line 18, at end, add—"The question, whenever it arises, whether any law passed by the Irish Legislature does or does not relate exclusively to Ireland, shall be determined by Parliament, in manner herein-after provided."—(*Mr. Kimber.*)

Question proposed, "That those words be there added."

MR. W. E. GLADSTONE: I have no right to appeal to the hon. and learned Gentleman, but I can hardly think he seriously intends to press his proposal upon the Committee. This is a subject of very great importance, and one upon which we have established a complete system of legislation after a long and, I believe, thoroughly satisfactory experience; this question of *ultra vires* in regard to the conflict of Legislatures is a very high question. It is a question upon the consideration of which, beyond almost all other questions, all passion, all ignorance, and all collateral motive in the matter ought to be excluded, and which ought to be dealt with entirely and exclusively in a judicial frame of mind and by judicial institutions. This is not my opinion alone; these are the established principles of our law. Wherever we have subaltern Legislative Authorities, whether in India or the Colonies, and the laws of those Institutions come into conflict with Acts of Parliament, we have a machinery for dealing with the matter. Cognizance is taken of any question that arises in the first place if it so happens in the Imperial Courts, and their Judgments are liable to review in the last resort by the Privy Council. In the opinion of the Government, the Judicial Committee of the Privy Council is a tribunal which has acquired in a very large and notable degree the confidence of all parts of the Empire. The hon. Member proposes to supplant and expel the idea of reference to this judicial tribunal, and to provide that the question of the interpretation of Acts of Parliament in the matter of *ultra vires* as between the subaltern and Imperial authority shall be

decided by a political vote in a political Assembly.

MR. KIMBER said, he expressly stated that he did not wish to get rid of, or exclude, the jurisdiction of the Privy Council should any suitor desire to appear before it.

MR. W. E. GLADSTONE: The hon. Member wants as a rival to the Judicial Committee of the Privy Council a Reference, in the first place, to a political officer, the Attorney General, and then to either House, and not to both Houses of Parliament. The House of Lords has a judicial character as well as a political character. I should have thought if there was one thing we could be quite clear about it was that the Reference, if it is to go to the House of Lords, must go to it in its judicial capacity. No; that judicial capacity is to be cast aside when a question of the highest importance has to be decided. I think the hon. Member will recognise that his proposal is one that ought not to be pressed.

MR. A. J. BALFOUR: While sympathising with the hon. Member in his desire, as shown in his Amendment, to make the supremacy of Parliament a living reality, I do not think he would be well advised in pressing the Amendment to a Division. The question is whether the matter should be dealt with by a legal tribunal or by a Legislative Assembly animated by Party feeling. Such an Assembly would give a series of decisions, which in the nature of the case might, and probably would, be somewhat contradictory, according as one Party or other in the Assembly gained the upper hand. That would bring about uncertainty and confusion, which would be not only extremely unfair to the Irish Legislature, but also extremely inconvenient to the very individual whom the hon. and learned Member desires to protect. Above all, what is required is that decisions on matters of this kind should be clear and based on a settled principle acted upon throughout. That would be quite impossible, I think, if we were to leave the decision to the fluctuating majority of a popular Assembly, and for that reason, if for no other, I am rather inclined to think that the Amendment, even if supplemented by the proposed clause, would not conduce to the smooth working of the Bill if it should

ever become law, or to the interests of the suitor, and I therefore would suggest that the hon. and learned Member should withdraw his Amendment.

Amendment, by leave, withdrawn.

\*SIR H. JAMES, in moving in Clause 2, page 1, line 18, at the end to add—

"Provided that, notwithstanding anything in this Act contained, the supreme power and authority of the Parliament of the United Kingdom of Great Britain and Ireland shall remain unaffected and undiminished over all persons, matters, and things within the Queen's dominions,"

said: I will not enter into any wide discussion upon the question of the supremacy of Parliament; I will only touch upon the subject in order that it shall not be supposed that I agree with the views expressed by the Solicitor General. When by the Act of Union the Parliament of Great Britain and the Parliament of Ireland came together, there then came into existence a Parliament which was supreme, though it might be called statutory in the sense that it derived its existence from the Act of Union. I put it to my hon. and learned Friend the Solicitor General, if the Act of Union had not been successful, and it was thought desirable, and enacted, that two Parliaments should exist—one for Ireland and one for Great Britain—and that they should be co-ordinate and equal, the Parliament of Great Britain would have no supremacy over Ireland any more than the Parliament of Ireland would have supremacy over Great Britain. I take this opportunity of protesting against the view that it is unnecessary we should take means to protect the supremacy of Parliament. We ought most certainly to take means to protect the supremacy of Parliament. I admit that with respect to this Bill the question is almost academic, because I do not assert that there is any attempt in the Bill to get rid of the supremacy of Parliament. But as many persons do think that this supremacy is practically got rid of, there ought to be no possible doubt left upon the matter. I refuse to regard the question of doubt arising only from a legal point of view. If the question had to be discussed according to judicial rules before a legal tribunal we might trust that the supremacy of Parliament would be recognised. But we have to look to what might take place, not only from a legal, but from a

*Mr. W. E. Gladstone*

political, point of view. We shall have the question raised as to whether the supremacy of the Imperial Parliament is maintained under many different political considerations and aspects. We shall have many men saying—"You have no right to legislate for Ireland, because virtually you gave up the supremacy of Parliament." I can understand this House of Parliament or the Irish Parliament saying—"We look at this question in a broader light than the Judges. We heard Ministers say that the Irish Parliament was not to be interfered with except in extreme cases, which would never arise." Irish Members may say they always intended they should never be interfered with; and that when Parliament granted this power, it was asked expressly to declare that it retained its own supremacy, and it refused to do so. If the supremacy is to be a living force; if it not only exists, but is to be exercised, it is absolutely necessary that there should be a declaration of that supremacy. It can never be maintained if we do not assert it. I fully accept all that has fallen from the Prime Minister and the Home Secretary on the subject. I fully accept their view that the supremacy of Parliament is to be maintained, and is not to be interfered with. But while I accept those assertions, I must say that they are of no value either for the construction of the Act or to control the action of politicians. Therefore, I trust that this assertion of supremacy will be placed on the face of the Statute. My right hon. Friend objected to the Amendment moved by the hon. Member for Deptford, on the ground that it was too narrow, and that it was something in the nature of a Preamble. My right hon. Friend also objected to it on the ground that it limited the supremacy and confined it only to Ireland, and he asked why not say that the supremacy remained unaffected over the whole Empire? I have accepted that view of the Prime Minister, and I have declared in my Amendment that the supremacy exists, notwithstanding anything in this Act, over all the dominions of the Queen, and thus the power will be asserted of making laws for Ireland. But, having thus framed the Amendment in general terms, I must ask that this should be the place in the Bill in which this declaration should be inserted.

Amendment proposed,

In page 1, line 18, at the end of the Clause, to add the words—"Provided that, notwithstanding anything in this Act contained, the supreme power and authority of the Parliament of the United Kingdom of Great Britain and Ireland shall remain unaffected and undiminished over all persons, matters, and things within the Queen's dominions."—(*Sir Henry James.*)

Question proposed, "That those words be there added."

MR. W. E. GLADSTONE: I and my Colleagues have been perfectly clear and distinct in proceeding in this matter since 1886. We are perfectly convinced that, without any mention of the supremacy at all, it would remain absolutely unaffected, unlimited, and one over the whole Queen's dominions. I know of no limitation whatever of the supremacy of Parliament except the limitation of geography. I do not believe that the assertion of it is in itself necessary, or adds any strength to it whatever. But when there are those in large numbers and in good faith who attach great importance to the re-assertion of that supremacy, the Government are not disinclined to meet them. The whole question is as to the terms in which it is to be re-asserted, and whether it is to be by preamble, by proviso, or by clause. My right hon. Friend has avoided the rocks and shoals which surround the question if we were to try to clothe in exact terms powers with respect to which the sound doctrine is that it ought not to be limited, trammelled, or confined by any exact terms. I will not criticise the language of the Amendment, because if supremacy is unaffected it remains undiminished. Apart from the particular place in the Bill where the declaration should be inserted, I think the course adopted by my right hon. Friend is judicious, and one to which we cannot make any objection. Some hon. Members are not satisfied with the assertion of supremacy in the Preamble, and want it expressed in a more drastic form, either in the shape of a proviso or a separate clause, which would imply its being put at the end of the Bill. To a certain extent, the question has been obscured by a feeling of suspicion and jealousy being imported into it, and in these circumstances the Government think it would be better that a proposal on the matter should come rather from those who feel the necessity of it than from our-

selves. I am glad the matter has fallen into the hands of my right hon. Friend, and I do not think I shall be inconsistent if I were to ask him to agree to bring up this proviso as a separate clause. The most effective form of proceeding is by a clause, which does not hang upon any one particular proposition of the Bill, but affects all the Bill alike. The Government, therefore, think that direct enactment by clause rather than by the kind of subordinate place that is assumed by proviso is the best and most satisfactory method of showing their respect and homage for this great doctrine of supremacy, which, in our judgment, should be esteemed as a hallowed thing. I hope my right hon. Friend will resolve to deal with the matter by bringing up an additional clause to the Bill.

MR. A. J. BALFOUR: Before the right hon. and learned Gentleman responds to the appeal which has just been made by the Prime Minister, I will venture to lay before the Committee some reasons which I think ought to induce him to keep his Amendment in the place where he has proposed it. The object of the Amendment, according to the Prime Minister, is to reinforce and hedge round the supremacy of Parliament, which the Prime Minister has called a "hallowed thing." The supremacy of Parliament may be a hallowed thing, but, like other hallowed things, it has very little influence upon some of those who pretend to worship it. I wish the political religion which is embodied in the words "assembly of Parliament" to be a real religion, and I value those words not so much for themselves as because they are a fitting introduction to other Amendments to be proposed which will give them practical value. The words will make it clear that the Legislative Body to be established in Dublin derives its descent in no manner or way from Grattan's Parliament. They will also act as a kind of instruction and indication that, so far from Irish matters having passed beyond the control of this House, it will be their business still to control them, and, if need be, to manage them. I want the supremacy of Parliament to be a practical thing. If the supremacy of Parliament is to be a practical thing under the Bill, we must insert machinery to make it so. It may be a very

hallowed thing, but not practical; and if it is not made real and practical, if its influence is allowed to be ignored or disregarded, the result will lead straight to the road of separation. What is the view of the Government on this point? Do they mean this "hallowed thing" to be the kind of supremacy, and that alone, which exists in relation to Canada? Will they be good enough to answer that question "Aye" or "No"?

MR. W. E. GLADSTONE: I thought I had answered that question by stating that, in my opinion, the supremacy of Parliament is absolutely one throughout the Queen's dominions.

MR. A. J. BALFOUR: The right hon. Gentleman will hardly go the length of saying that as a practical machine the Imperial Parliament is as efficacious a machine in Australasia and Canada as in Kent and Surrey. It may be one from the lawyer's point of view, but it is not one from the statesman's point of view: and no man who turns his mind from the unrealities of a Constitutional lawyer to the realities of everyday political life will maintain that this one and indivisible supremacy is really the same in every part of that geographical area to which alone the right hon. Gentleman has said he limited it. I do not desire, if Home Rule should be ever given to Ireland, that the Imperial Parliament should deal with Ireland in the same minute manner as it now does with England and Scotland; but neither do I desire that the Imperial Parliament should be deprived of all practical meaning and be reduced to the hallowed nothing which is the object of the right hon. Gentleman's political adoration, or to the mere abstraction which it is in relation to Australasia and Canada. It is because the words are of inestimable value as a preface and indication of what we mean to do in this Bill, if we can, and what we mean to do in subsequent Parliaments, if we must, that I hope they will be allowed to remain as they are. For these reasons I desire they should be made part of the Bill in this place, and I strongly urge my right hon. and learned Friend not to yield to the suggestion of the Prime Minister.

MR. J. MORLEY: I think the speech with which the right hon. Gentleman has just favoured the House shows how difficult, how impossible it is to carry on the discussion on this most important

*Mr. W. E. Gladstone*

subject in anything like a serious and even partially amicable spirit. I would appeal to the Committee whether the tone of the speech of the Prime Minister is not a model which should be followed on a great and serious occasion in a great deliberative Assembly? But my right hon. Friend had no sooner made his conciliatory speech than the right hon. Gentleman opposite rose and made a mockery.—[Mr. A. J. BALFOUR: Not a bit of it.] I do not wish to use any derogatory phrase, but it seems to me that the tone of the right hon. Gentleman's speech was nothing else than pure mockery. No one knows better than the right hon. Gentleman how serious are the issues before the Committee.

MR. A. J. BALFOUR: I may, perhaps, be permitted to remind the right hon. Gentleman that throughout the Debates on the Bill I have consistently expressed my own personal indifference to the retention of a mere paper supremacy. In the observations which I have made I have merely expressed the views from which I have never wavered.

MR. J. MORLEY: It is quite true that the right hon. Gentleman stated on a former occasion that he cared no more about proposals such as the right hon. Member for Bury wished put into the Bill than he cared about the order of precedence at a London dinner table. The value that the right hon. Gentleman sets upon these proposals being so slight, I regret that the right hon. Gentleman should have joined in the controversy in so polemical a spirit. On behalf of my Colleagues and myself, I wish to say emphatically that we do not intend that this declaration of supremacy, whether it is agreed to in the form of a proviso or in the form of a clause, should be used as a platform upon which to raise a number of Amendments. That we do not intend, and to that we will not be parties. Right hon. Gentlemen opposite contended that there must be effective provisions to secure "a vitalising supremacy." Our position is that no such Amendment as my right hon. and learned Friend proposed is needed for that purpose. The Bill is saturated with supremacy. Supremacy stares us in the face from every page in the Bill. There is the legislative power reserved to the Imperial Parliament; there is the veto, and there are the other provisions which provide in the most

effective way for the exercise of the supremacy when occasion arises, although the Government believe that such occasions will not often arise. In spite of what the right hon. Gentleman has said—indeed all the more on account of what the right hon. Gentleman has said—I hold that the best plan would be, if the Committee insists upon an additional declaration of supremacy, to embody the declaration in a clause at the end of the Bill. In assenting to the words proposed by the right hon. and learned Gentleman—whether they are agreed to in the form of a proviso or in the form of a clause—we wish it to be clearly understood that we do not mean to go one inch further in the way of accepting Amendments such as will give satisfaction to the Leader of the Opposition and will assist him in his sinister purpose, avowed in public, of destroying the Bill.

MR. COURTNEY (Cornwall, Bodmin) said, the right hon. Gentleman who had just sat down had replied in a very polemical way to a speech which might have been polemical, but which did not seem to him to have been so polemical as the reply. The Chief Secretary for Ireland would do well to remember that "a soft answer turneth away wrath." The Prime Minister, he understood, had assented to the principle of the Amendment. He admitted that the place where it was proposed to insert the Amendment was not quite the proper place, and was of opinion that it ought to have taken the form of a Proviso to the 1st clause. He thought that progress would be facilitated if the Government would consent to the addition of the words to the clause under consideration as a temporary expedient, and to their transference at the Report stage to the 1st clause in the form of a Proviso where they would properly find a place. The Government would still be able to safeguard themselves. They had already done so by expressing very clearly what they meant by assenting to the Proviso.

MR. W. E. GLADSTONE: I am sorry to say that I consider it an extraordinary demand to make upon us, that the words should be inserted here with a view to their being subsequently transplanted in another place. That is not the proper method of proceeding.

\*SIR H. JAMES: Do I understand my right hon. Friend to suggest that the

Amendment should stand as Clause No. 2 of the Bill?

MR. W. E. GLADSTONE: I do not think a new clause is always necessarily at the end of a Bill; but, certainly, I am disposed to think the best course would be to place it at the end.

MR. POWELL WILLIAMS (Birmingham, S.) asked whether it would be in Order, assuming the Government accepted the proposal for a new clause at the end of the Bill, to discuss the clauses of the Bill in relation to the new clause?

MR. T. M. HEALY (Louth, N.) said, the right hon. Gentleman had stated with regard to his last Amendment that it rested upon the responsibility of the Government as to the place.

\*SIR H. JAMES: We have really got so near together that I had hoped my right hon. Friend would have agreed to its insertion early in the Bill. It is for the Committee to decide the position of the Amendment and not for me; but, personally, sooner than lose the Amendment I would consent to place it as Clause 2.

MR. J. COLLINGS (Birmingham, Bordesley) said, that after the construction put upon the Amendment by the Chief Secretary it hardly mattered much where it was inserted. The right hon. Gentleman, whose warmth was the flush of political fever rather than the glow of political health, had given them to understand that wherever the Amendment was placed it would only mean in the eyes of the Government that the supremacy of the Imperial Parliament over the Irish Legislature was to be just the same as the supremacy of Parliament over the Legislatures of Queensland, Victoria, and Canada, and everybody knew we could legislate for Canada and Queensland; but would Canada and Queensland take any notice of our legislation? That seemed to him a little trap the Unionists were running into. The Government were proposing another paper guarantee. He could quite understand the pleasant tones of the Prime Minister and Chief Secretary. It was a sort of invitation to walk into my parlour; and the Government would be able, when doubt was expressed as to the supremacy of the Imperial Parliament, to point to these words as a proof of the explanation—[“Question!” and cries of “Go on!”] It was all very well for Gentle-

men on the Front Bench to say “Go on”; but there had been no remonstrances from that Bench against the disorderly interruptions which were continually practised on Unionist speakers. He thought it was high time the Government should try to keep their allies—or rather their masters—in something like order. The real reason why the Chief Secretary and his friends would like to put this in Clause 41 was so as to remove it from any apparent connection with Ireland. The Leader of the Opposition very well pointed that out, and he hoped the right hon. and learned Member for Bury would act on the advice of the Leader of the Opposition. If this were inserted in the 1st or 2nd clause or put in in immediate connection with the Legislature for Ireland it would indicate clearly what they wished to do, and would give force to the declaration which was contained in the Amendment; whereas if it were put in later, where it had no immediate connection with the Legislature in Ireland it would be another paper safeguard.

MR. W. E. GLADSTONE thought he could satisfy his right hon. Friend. He would rather not come to an absolute decision at once; but he would undertake that the clause should come before Clause 8.

MR. SEXTON said, the Unionist Party, in their general scheme of opposition to the Bill, were involved in some contradictions, and they might take the present case as an illustration. The right hon. and learned Gentleman the Member for Bury, the parent of this Amendment, no doubt considered it of some importance; but the right hon. Gentleman (Mr. Jesse Collings), sitting beside him, had subjected it to ridicule as a “paper safeguard.” Neither the right hon. Gentleman the Member for Bodmin (Mr. Courtney), one of the most acute debaters in the House, nor the right hon. and learned Member for Bury (Sir H. James), appeared at all to enjoy the speech of the right hon. Gentleman. Certainly, he could understand the feelings, of the right hon. Member for Bury, who, having drawn this expressive Amendment, and having achieved in reference to it what might be called a Parliamentary triumph, had his triumph ridiculed by the right hon. Gentleman who sat beside him. This Amendment added nothing to what was contained in the Preamble;

*Sir H. James*

it added nothing satisfactory to what was contained in Clause 33; it did not increase or render more intense the supremacy with which, as the Chief Secretary said, the Bill was saturated. It added nothing to the facts, so that really he was disposed to treat the question whether the Amendment was or was not inserted in the Bill as a matter of no practical importance. Whether the Amendment was inserted in the Bill or not, everything would go on just the same; it would make no difference whatever. But he did think considerations of importance were found on matters connected with the question of the place of the Amendment in the Bill. In the first place, he did not think the Amendment was a Proviso. They might call it a Proviso, but it was not in the nature of a Proviso, though it began with the word "provided." A Proviso was something growing out of the clause, related to the clause; but this was a proposition of the most general, unlimited, and absolute character, which really applied wherever they put it; and, therefore, he should object strongly to treating it as a Proviso limited to any clause. The clause to which it was proposed to add it was one which merely dealt with the making of laws; but the Proviso spoke of "power over all matters and things" which would go beyond the sphere of simply making laws; therefore it was clear it was not a Proviso to the clause to which it was intended to be put. If there were ten thousand reasons for the Proviso, there was one conclusive reason against treating it as a Proviso, which was given by the Leader of the Opposition, when he said—"We want it put in here, because we want to make it a platform for further obstruction."

MR. A. J. BALFOUR: I did not say that.

MR. SEXTON: That is what it came to.

MR. A. J. BALFOUR: I said it would be the preface to other Amendments which, of course, the Government are not bound to accept.

MR. SEXTON said, the principle of the Government was that the supremacy did not need to be vitalised in the sense of the word used by the Leader of the Opposition. The principle of the right hon. Gentleman was that he wanted this Proviso inserted here, so that in future

clauses, and perhaps future sub-sections of the Bill, he might introduce Amendments interfering with the scheme of the Government, and endeavouring to alter the whole scheme and framework of the Bill; and this, in his judgment, was a conclusive reason why it should not be inserted here, because if it was inserted it would enable hon. Gentlemen to carry on their opposition and prevent the passing of the Bill through the House in the longest Session. His view of the matter was that this was a general proposition relating to the whole Bill, and it should be inserted at the end. If it was inserted in connection with this clause it would be held to have special relation to the making of laws; and why should the supremacy have any more immediate connection with the making of laws than anything else? The supremacy was intended to affect everything—Executive action as well as the making of laws, and why was it wanted to be put after a section relating solely to the making of laws? Because the right hon. Gentleman wanted to use it hereafter as a justification and an invitation to that House to interfere and to intermeddle vexatiously with the Irish Legislature. This was evident, both from the nature of the Amendment itself and also from what he thought was the intention of the right hon. and learned Gentleman, that the supremacy should be in Ireland as elsewhere, and he thought this Proviso should not be appended to a clause affecting the Legislature, because it would be held hereafter that it was inserted there to justify an interference with the Irish Legislature, which they hoped would not be necessary.

MR. RENTOUL (Down, E.) said, he hoped the right hon. and learned Gentleman would not recede from his Amendment, or accept the offer of the Prime Minister to introduce a clause asserting the supremacy of the Imperial Parliament some time at the end of July. He was under some disadvantage in arguing the point, inasmuch as not one Member of the Government was present.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. RENTOUL, continuing, said, it was pleasant to find that the President of



the Local Government Board (Mr. H. H. Fowler) was now present, and that he, at least, among Members of the Government, took some interest in the supremacy of Parliament. It had been said all along on this matter that it was unnecessary to declare the supremacy of Parliament as it already existed, and that it could not be expected to exist in stronger force than it did. That might be so in a legal sense; but they knew very well that they could not enforce the supremacy without the insertion of words in the Bill. At one moment they were told the supremacy was covered by the Preamble of the Bill; at another that a clause should be introduced to assert the supremacy. For his part, he was glad to think that the Government were now willing to declare in the authoritative part of the Bill that the supremacy of this Parliament did exist, and that it could not possibly be taken away. It would be impossible to assert it in action unless they put it in the Bill. It would be of no vital force whatever unless it were inserted in the Bill, and they on his side of the House wanted a clear declaration in the Bill. They did not share the trust of the Government in the Nationalist Members—a trust which, in the case of right hon. Gentlemen opposite, had only been shown during the past six or seven years. They believed that the Government really meant that this Parliament should be supreme; but the Nationalist Members did not mean that. It was perfectly true men might change their opinions, but if Irish Members had done that they had not said so, for there had been no retraction of former views on the part of those hon. Members. The late Mr. Parnell had not withdrawn any of his declared views; neither had the hon. Member for Waterford (Mr. J. E. Redmond); the hon. Member for Longford (Mr. J. M'Carthy); the hon. Member for the Scotland Division of Liverpool (Mr. T. P. O'Connor); nor had the Member for East Mayo (Mr. Dillon). If they had withdrawn or altered their expressed opinions he had not seen any evidence of it. They had been told that the supremacy of this Parliament existed in all parts of the British Empire in a condition that was one and indivisible. If those words meant anything, they implied that the supremacy in Canada and the Colonies

*Mr. Rentoul*

was the same as it would be in Ireland. That was not enough. They desired that the supremacy in the case of Ireland should be the same as in Kent or Suffolk. They wanted a supremacy capable of being enforced in a practical manner. Until that evening the statement had not been made that the Government would consent to have the supremacy declared by a clause. The Prime Minister had offered that if the right hon. and learned Member for Bury (Sir H. James) would draft a clause the Government would accept it. In that case it would not come before the Committee until the months of July or August. Under the circumstances they desired the right hon. and learned Gentleman to adhere to his Amendment. What was the value of any legal enactment if there were no machinery for carrying it into effect? They wanted the enactment to come in at the end of Clause 2, and they would then be able to propose machinery for carrying it out. The Leader of the Opposition (Mr. A. J. Balfour) had pointed out that the announcement made by the Prime Minister showed that the new Parliament would not derive its existence from Grattan's Parliament, but by Statute, and that which that House created naturally that House could at any time destroy or modify. The Leader of the Opposition had well said that a declaration of supremacy in the Act would serve as an Instruction to the Irish Parliament which would be constantly before their eyes. If no such declaration were inserted in the Bill the Irish Parliament might say, not without reason, that they had been led to believe that no such supremacy was ever to be exercised. The hon. Member for North Kerry (Mr. Sexton), in his extreme desire to have the suggestion of the clause negatived—

**MR. SEXTON:** No.

**MR. RENTOUL** said, that gave them the idea that there was something very considerable at stake. The Prime Minister offered a clause to be inserted in the Bill after Clause 2—that was to say, it was to be Clause 3. But such a clause could only be inserted in the Bill after all the other clauses had been discussed. Their point was to get the declaration of supremacy into the Bill now. The hon. Member for Kerry said

that they wanted a platform for obstruction. That was not so. What they did this for was as a platform for machinery. The declaration of supremacy was not merely for the purpose of preserving the dignity of the Imperial Parliament, but as a safeguard for the loyal minority in Ireland. They wished to have machinery to carry out effectively the supremacy of the Imperial Parliament and to preserve its dignity. That was the chief object of the loyal minority in Ireland. He trusted the right hon. Gentleman the Member for Bury would stand to his Amendment, as, by postponing the matter until July or August, they would be precluded from applying the machinery necessary to the fulfilment of the purpose they desired carried out.

MR. CAMERON CORBETT (Glasgow, Tradeston) said, it seemed to him that the assertion of the supremacy was the more necessary after what had been said in the course of the Debate. When the Government had urged that the supremacy was inalienable, and when they had refused to call the Irish Legislature subordinate, because they wanted to draw no distinction between it and the Colonial Legislatures, it had become plain that the supremacy over the Irish Legislature was to be of the same character as that over the Colonial Legislatures. If that were the case it seemed to him that the constituencies throughout the country were, to a very large extent, deceived during the last Election. In the Colonies the people realised that the only safeguard for their interests consisted in the character of the sense of fair play of Members elected to represent them in their Legislature. In the present Bill, as it stood, absolutely the only safeguard the minority in Ireland would have would be the character and the sense of fair play of the Representatives of the majority of the people. He believed that when the people of Scotland at last realised that the fate of their brother Presbyterians in the North of Ireland had no stronger guarantee than the sense of fair play and the tolerance of the Representatives of the majority of the Irish people they would be very slow to support a measure of this character. In the future, if the measure were carried without Amendment, the Imperial Forces would be maintained to force men to

obey laws which Englishmen believed to be unjust and cruel—laws which were in accordance with Irish ideas, but not in accordance with the ideas of the people of the United Kingdom, who, however, would still have the responsibility of enforcing those laws in which they did not believe.

MR. T. W. RUSSELL (Tyrone, S.) remarked that the two sides of the House did not look upon the question of supremacy from the same standpoint. What had been said by the hon. Member for North Kerry (Mr. Sexton) went a certain way to prove this; but he should like to draw the attention of the Committee to an article which appeared in October last in *The Nineteenth Century* from the pen of the hon. and learned Member for Waterford (Mr. J. E. Redmond.) The hon. and learned Member in that article quoted a long extract from a statement of the right hon. Gentleman the Chancellor of the Duchy (Mr. Bryce) declaring that the supremacy of Parliament was inalienable, and the hon. and learned Member subscribed to that doctrine, but went on to say—

“For my present purpose I accept that as a true description of the position from a strictly Constitutional point of view. The rights of the Imperial Parliament, after the creation of the Irish Legislature, would remain intact. Those rights would remain dormant as far as Irish affairs are concerned.”

That was the hon. and learned Member's view of supremacy. It was, however, the very opposite of the view of the right hon. Gentleman who had moved the Amendment. The hon. and learned Member went on to say—

“A Parliamentary compact would be entered into binding the Imperial Parliament to leave these rights dormant.”

Was the assertion in the Bill part of the “Parliamentary compact”?

“Such a compact, of course, cannot in strict theory bind successive Governments; but in practice it must have that effect, by imposing a moral obligation on Parliament not to act contrary to the Statute. We would expect a clause in the Home Rule Bill to specially provide and undertake that whilst the Irish Parliament continued in existence the power of the Imperial Parliament to legislate for Ireland would never be used.”

He (Mr. T. W. Russell) would like to know from the Government whether this was their idea of supremacy? Of course, they could not possibly concede the demand of the hon. and learned Member

for Waterford ; that would be too absurd. Had they come to a compact with the hon. and learned Gentleman, who sat silent during the Debate, that he was not to press for a specific clause, on the ground that the assertion in the Preamble was all nonsense ?

**MR. J. E. REDMOND** (Waterford) : No compact has been entered into with me.

**MR. T. W. RUSSELL** said, he was quite sure that there had been no compact with the hon. and learned Member. Had his Party numbered 19 instead of nine he would have got all he wanted. The hon. and learned Member must, however, see that the position of the Unionists with regard to supremacy was a different position from his. The hon. Member for North Kerry (Mr. Sexton) had objected to the insertion of the Amendment in the Bill at this point, because, in his opinion, it would pave the way for further obstruction.

**MR. SEXTON** : That was one reason.

**MR. T. W. RUSSELL** said, he would tell the hon. Member the way in which he viewed it. The Amendment undoubtedly amounted to the assertion of supremacy ; but the mere assertion without machinery to make it effective would be of precious little use. Let there be no mistake about it. Let the Government and the hon. Member for North Kerry understand that if the Amendment were carried, it would establish a basis for the adoption of effective machinery to carry it out. The right hon. Gentleman the Chief Secretary (Mr. J. Morley) had maintained that the supremacy intended to be given by this Bill was, practically, the same supremacy as was given elsewhere. But were there any safeguards in the British North America Act for any minority ? In 1867, when the Canadian Confederation was agreed upon, the Canadians were practically unanimous, and there was no minority to safeguard like that in Ireland. If there had been, he had no doubt safeguards would have been provided. The supremacy which suited Canada without a minority demanding protection was not a supremacy that would suit Ireland with a minority which the Government admitted ought to be protected. Let the Committee, therefore, thoroughly understand that the Amendment of his right

hon. Friend was the first of a series designed to make the supremacy effective. The question of enforcing the supremacy, if ever occasion should arise, would have to be dealt with. It would be perfectly legitimate to establish an Imperial force in Ireland for the assertion of the Imperial supremacy. What was the good of Imperial supremacy if it had no power to enforce its will ? The two sides of the House, as he had said, were not talking about the same thing. The supporters of the Government wanted a paper supremacy ; they wanted a mere fraud—

**MR. MANFIELD** (Northampton) : Mr. Mellor, I rise to Order. Is it right for the hon. Member to make such a charge against us ?

**MR. T. W. RUSSELL** said, that if he had hurt anyone's feelings he would at once withdraw the expression. The ideal of the Ministerialists, at all events, was a mere paper supremacy. The Unionists, however, wanted an effective supremacy. If the Committee adopted the Amendment and went no further, the supremacy would be a sham. He had never asked for safeguards, and did not believe in them ; but, if there were to be any at all, he was determined that the Government should not go to the British electors and parade before them sham safeguards as being beneficial to the Irish minority. The Unionists intended to let the electors know exactly what the Government and their supporters were doing. They intended to make it clear that, instead of adopting real safeguards, the majority of the House were simply inventing shams to deceive the electors.

**\*MR. AMBROSE** (Middlesex, Harrow) said, he had been of opinion from the first that mere words, either by way of preamble or by way of enactment, would have little or no effect in securing that supremacy which the Government and their supporters were pledged to the country not to interfere with by the Bill. If the House wished to secure the supremacy of the Imperial Parliament it must do so by machinery, and not by mere words either of preamble or of declaration. He had no hesitation in saying that if the clauses of the Bill were to be turned out of the Committee in the same shape as that in which they had entered it and the preamble remained as it was, the measure would be a fraud and a pretence.

*Mr. T. W. Russell*

The right hon. Gentleman the Chief Secretary (Mr. J. Morley) said not only that the Bill was redolent of supremacy, but that it was saturated with supremacy. He did not wish to say anything that would be considered rude; therefore, he would refrain from making the comment that was on his lips. They were told, however, that the Bill was saturated with supremacy. Without complaining of the ruling of the Chairman last night, he might allude to the Amendment ~~he~~ (Mr. Ambrose) had been prevented from moving to show what their position would be if the Proviso proposed by the right hon. and learned Gentleman the Member for Bury were not accepted. They had adopted the words "for the peace, order, and good government of Ireland," and he had had an Amendment on the Paper proposing to give to Ireland a central Local Government Board, and to transfer various other Departments to Ireland in the same way. The ruling of the Chairman had been that that Amendment was inconsistent with the words he had quoted, and which had already been incorporated in the Bill. If the clause were not amended with the proposed Proviso when hon. Members came to propose their Amendments which were intended to secure the supremacy of the Imperial Parliament they would be told that their Amendments were inconsistent with this clause. In the clause itself there was matter which was absolutely inconsistent with the supremacy of the Parliament at Westminster. The Irish Parliament was to have powers in respect of the "peace, order, and good government" of the country; and though there were certain exemptions in Clause 3, if they took Clauses 2, 5, and 10 there was sufficient in them to exclude, he would not say the theoretical supremacy to which the Solicitor General referred, but the practical supremacy of the Imperial Parliament. Clause 2 gave a general power—that was admitted. Then there were exemptions which withdrew from the Irish Parliament nearly every subject of interest which the Irish Members would like to deal with. There were two points on which there was no exemption. There was no exemption whatever with regard to the subject of taxation. The Bill left power to the Irish Parliament to tax Irish subjects at pleasure, except in so far as

that power was modified by subsequent sections of the Bill. Now, if the Irish Parliament had the right to tax, it followed that, in addition, they had the right to refuse taxes. They had the right to refuse the necessary supplies for the maintenance of the Imperial Government in Ireland, and for the maintenance of the Government of Ireland, whether Imperial or Irish. As he had said before, he cared very little for mere words. He should not think that this Proviso would in itself do anything to accomplish the supremacy of the Imperial Parliament. He believed in machinery. Well, one of the important points and tests of supremacy was the power of taxation. Give away their power of taxation, and they gave away their supremacy. What was it that gave to the House of Commons its power in the British Constitution? It was its right to impose taxes, and with the right to impose taxes the right to refuse taxes when they thought proper, and to originate Money Bills. So important was that consideration that from the earliest times the right had been asserted and jealously maintained. Even at the present day the House of Lords was not allowed to amend a Money Bill. When a Money Bill was sent up to the House of Lords from the Commons the House of Lords must either reject it or pass it. That indicated the importance of the money question—and our relations with the United States also indicated it. It was on that point that we lost America. The Northern States resisted the taxation by Great Britain, and Great Britain gave up its power of taxation; but with that power it gave up its supremacy, and America acquired absolute independence. He wished to ask the Solicitor General his opinion on the 10th clause. ["Order, order!"]

\*THE CHAIRMAN: The hon. and learned Gentleman must not discuss the 10th clause.

MR. AMBROSE said, that he did not intend to discuss the clause, and, with all submission to the Chairman, he was within his right. [*Cries of "Order!"*] The point of Order was a matter he had considered, and he maintained that he was within his right, because he was justifying his construction—[*Renewed cries of "Order!"*]*—*he did not often speak therefore, he would appeal—

\*THE CHAIRMAN: The hon. and learned Gentleman may refer to the 10th clause, but I have pointed out that he must not discuss it.

\*MR. AMBROSE said, he only wished to refer to it for the purpose of proving the construction he had put on the 2nd clause. The 2nd and 3rd subsections, of the 10th clause set forth—

"(2) The duties of Customs and Excise and the duties on postage shall be imposed by Act of Parliament, but subject to the provisions of this Act the Irish Legislature may, in order to provide for the Public Service of Ireland, impose any other taxes.

"(3) Save as in this Act mentioned, all matters relating to the taxes in Ireland and the collection and management thereof shall be regulated by Irish Act, and the same shall be collected and managed by the Irish Government and form part of the Public Revenues of Ireland."

If the Irish Parliament refused Supplies, or attempted to pass a Bill forbidden under the restrictions of the 3rd and 4th clauses, what would happen? Everyone knew the power of the purse. Suppose the Irish Parliament said to the Lord Lieutenant—"If you don't pass this Bill we will not grant you Supplies?" If that occurred, where are you? How would the money be obtained to keep and maintain the officials of the Government and to prevent absolute anarchy from taking place? Could the Solicitor General say, in face of the 2nd and 10th clauses, that the Imperial Parliament could impose taxes in Ireland? If they parted with the power of taxation, as he thought he had shown they had, where was the supremacy of the Imperial Parliament? The Executive in Ireland, as the hon. Member for North Kerry had rightly said, would be the servants or agents of the Irish Parliament. How, then, were they to be at the command of the Imperial Parliament? The hon. and learned Gentleman the Member for Haddington had said that the power of levying taxation must be given whenever the power of legislating was conferred. That power, he had pointed out, was inherent in Local Boards and County Councils. But in the case of those Bodies, if they sought to levy unjust rates, their proceedings could be quashed in a Court of Law; or, if they did not exercise the functions they were required to exercise, they could be compelled to do so by a *mandamus*. In these cases the power of levying rates was controlled by the Imperial Government through

the medium of the Law Courts. But that would not be the case with reference to Irish legislation. There would be no Courts to keep the Irish Legislature within its proper jurisdiction—to quash their orders when they exceeded their powers, or to compel them to issue orders when they neglected to do so. It was said that a remedy would be found in the Privy Council; but that body would be useless from that point of view.

\*MR. STRACHEY (Somerset, S.) did not wish to give another silent vote on the subject of the supremacy of the Imperial Parliament. If the right hon. and learned Gentleman pressed his Amendment to a Division, it would be necessary for him (Mr. Strachey) to vote for it, because he could not see what harm there could be in giving expression to Imperial supremacy on the Bill itself. He thought that the Amendment would satisfy, not only many hon. Members, but many persons outside the House—satisfy their prejudices, or whatever they might be called. The argument of the Government was that the Irish people were to be trusted to carry out the Bill in a fair and proper spirit; and, that being granted, why on earth could not the Government say—"We may run the risk of the supremacy not being so strong, but if the Amendment satisfies a great many persons inside and outside the House we accept it."

\*SIR E. CLARKE (Plymouth): There is one point which, I think, will interest the Committee at this moment, and that is—what is the position which the Government propose to take if this Amendment is pressed to a Division?

MR. W. E. GLADSTONE: I am interested in knowing what is to be the response to my invitation. I have had no answer to the appeal I made to my right hon. and learned Friend the Member for Bury.

\*SIR E. CLARKE: The right hon. Gentleman says he has had no answer to the appeal he made to my right hon. and learned Friend; therefore I may be allowed to call to the recollection of the Committee what took place at the beginning of the discussion. When the right hon. and learned Gentleman proposed the Amendment the Prime Minister expressed himself as entirely satisfied; and the right hon. and learned

Member gave some reasons, which, I think, were very good reasons, for believing that the part of the Bill in which he proposed to introduce these words was the right part at which their declaration should be inserted. Then the Prime Minister, in his gracious and winning manner, made the most charming of Ministerial answers. He approved of the form of the Amendment; he sympathised with the object of it; he was at one with my right hon. and learned Friend in substance and intention; but, at the same time, he asked, not as a stipulation on which he was going to insist, but as if it were a favour, that the right hon. and learned Member would be good enough not to insist upon this Amendment at this time, but allow it to be postponed until we come to deal with new clauses. I listened to that appeal, and I did not wonder that my right hon. and learned Friend for a moment yielded and did not see to what point he was being led. The important thing with regard to this matter is that we should get this Amendment in, as early as possible in the discussion, as a definite declaration of the supremacy.

MR. W. E. GLADSTONE: The hon. and learned Member is mistaken. The purport of my offer to my right hon. Friend was to insert the clause somewhere before Clause 3—that is as early as he proposes.

\*SIR E. CLARKE: I heard the whole discussion, and I will point out to the right hon. Gentleman that his supposed concession is no concession at all. It does not matter a jot where the new clause is put in the Bill. To my thinking, the thing that matters is this. If this Amendment is relegated to the position of a new clause it will come on for discussion somewhere in July, when the whole Bill, including the Financial Clauses, will all have been subjected to discussion in this House; and if we are unwise enough to part with this clause and allow it to be postponed until the latest stage of the Bill, whenever on the intervening clauses we may desire to discuss their effect on the supremacy of the Imperial Parliament we shall be met by the declaration—"We, the Government, have promised you a clause, and you must wait till the moment you see it before you can discuss it." I am glad that my right hon. and learned Friend

did not accept the proposal of the right hon. Gentleman, and I sincerely hope that he will be firm in his resolve to have this declaration, of which the Prime Minister has in terms approved, inserted in this part of the Bill. If we want an illustration of the importance of the point at which we have now arrived we should find it in the interesting fact that the long silence of the Irish Benches has been broken. The hon. and learned Member for Louth and the hon. Member for North Kerry have actually made speeches—not ejaculations, not epithets, but actually speeches—on the proposal before the Committee. It is perfectly clear, from the speech of the hon. Member for North Kerry, that he means to resist now and at any time the insertion of this declaration.

MR. SEXTON: No; not at all.

SIR E. CLARKE: That he meant to resist what we believe to be essential.

MR. SEXTON: On the contrary, I agreed to the declaration; but I pointed out that this is not a Proviso; it is not limited to this clause, but it applies to the whole Bill, and it ought to be inserted as an independent clause.

SIR E. CLARKE: I think it was clear from the hon. Member's speech that he meant to say that no such declaration was necessary in the Bill at all, and that he would resist the insertion of any such declaration in the Bill.

MR. SEXTON: I said the very reverse. I said it added nothing to the declaration already in the Preamble, but that I had no objection to the insertion of it as a clause.

\*SIR E. CLARKE: That is exactly my point—that the Government, under the inspiration or direction or advice of the hon. Member for Kerry, and those who act with him, are resisting the putting of this declaration into the Bill.

MR. W. E. GLADSTONE: We propose to accept it.

SIR E. CLARKE: The right hon. Gentleman says he proposes to accept it.

MR. W. E. GLADSTONE: I said I was waiting for the answer of my right hon. and learned Friend the Member for Bury.

\*SIR E. CLARKE: I think that answer has been given to the right hon. Gentleman. ["No, no!"] The right hon. and learned Gentleman said the question was one for the Committee. It

is clear that the Committee will not permit the withdrawal of this proposal, but will persist on its being put from the Chair. We are, therefore, entitled to know whether the Government are going to vote in favour of or against this proposal, the principle of which they say they agree with. I should like to add that the 2nd clause, to which it is proposed to attach the proviso, is exactly the right place at which to make such a declaration. The 1st clause constitutes the Legislative Assembly; but the 2nd clause grants to the Irish Legislature power to make laws for the peace, order, and good government of Ireland. It is when we are conferring that power to make laws for the peace, order, and good government of Ireland, that it becomes essential to show that these powers are not granted in derogation of the power which the Imperial Parliament possesses in all parts of the Empire. I do not agree with my two hon. Friends who spoke last. I do not agree with the hon. Member for South Tyrone and the hon. Member who spoke from this side as to the worthlessness of paper declarations in an Act of Parliament; and I am quite prepared to hear the flouts and jeers that are given to those who are merely Constitutional lawyers. I attach some importance to declarations in Acts of Parliament, and I cannot forget what the conduct of the Government was in 1886. In that year they put into their Bill the 37th clause, which was a specific declaration with regard to the powers of the Imperial Parliament. When the draftsman of that Bill (Lord Thring) wrote his article explaining the drafting, he said that it had been the desire of the Government, when legislative power was given to the Legislative Assembly, that there should be a clause by which the Irish Members, in accepting the gift, should accept the limitation of it at the same time. They put that into their Bill of 1886. Why is it not desirable or necessary to put it in the Bill now? I may be allowed to speak on this matter, because I think I was the first to protest against the enshrining in the Preamble of the supremacy of the Imperial Parliament. I am glad we have got to the point when the Government accept the proposition I made, and agree that the Bill itself shall contain a declaration as to the powers of the Imperial Parliament.

*Sir E. Clarke*

It is no use for the Government to tell us that they are prepared at some future time to accept this proposal. What we want to know is whether they will accept the proposal made to them to-night. If they will, then I do not want to consider what other Amendments may be proposed. I agree that the Government are free—as declared by the Chief Secretary to the Lord Lieutenant—not to consider any Amendment as consequential, but to meet all Amendments fairly and independently when they are proposed in this House. It is not with that view that I desire to have this declaration in the Bill. I wish to have in the effective clauses, as early as can be, in the most appropriate place, a declaration of the undiminished, unaffected supremacy of the Imperial Parliament. I think the right hon. Gentleman the Prime Minister is in a position to see that he will have to deal with the question, aye or no, will he or will he not accept, this Proviso in the Bill? I venture to think that it would very much tend to the shortening of this discussion and to the clearing of the views of the Committee on the subject, if the right hon. Gentleman would now tell us, aye or no, whether, when this proposal is put from the Chair, he will support it?

MR. W. E. GLADSTONE: I am only waiting for the answer of my right hon. and learned Friend.

\*SIR H. JAMES: The right hon. Gentleman says he is waiting for my answer. I thought I had given my answer before the adjournment. When my right hon. Friend said that he would insert the proposal as a new clause I categorically replied, and said that the matter was in the hands of the Committee, and that it was not a matter on which I could bind the Committee. I also added that, as far as I was personally concerned, if the alternative lay between losing the words of the Amendment and the suggestion which the Prime Minister made—personally I should accept the suggestion.

MR. W. E. GLADSTONE: I am aware of the fact that the right hon. and learned Gentleman said that the matter was in the hands of the Committee. But what I understand is, that he is satisfied with the proposal made.

\*SIR H. JAMES: My extreme desire was to have these words inserted in the place at which I moved their insertion.

The right hon. Gentleman will recollect that in moving the Amendment I gave my reasons for wishing their insertion at this particular portion of the Bill.

MR. W. E. GLADSTONE: I intend to adhere to the offer I have made, and I have not yet got an answer to that offer.

\*SIR H. JAMES: I have stated as distinctly as I could the position I occupy. I am sorry if I have not made my meaning clear. I can only repeat what I have already said. I hope the Prime Minister will accept the answer I have already given.

MR. T. P. O'CONNOR (Liverpool, Scotland): Ask leave to withdraw the Amendment.

MR. J. CHAMBERLAIN: I think my right hon. and learned Friend has made his meaning perfectly clear. As far as he is personally concerned he has moved his Amendment, and he stands by it; but, rather than lose it altogether, he himself is prepared to accept the suggestion of the Prime Minister. I am only repeating what has been said by my right hon. and learned Friend. Now, I think it is for us to ask the Prime Minister, under these circumstances, what is the position of the Government? Do they insist upon the alternative which they have suggested to my right hon. and learned Friend, which he personally is willing to accept under stress, but which he has told them plainly he thinks not so favourable as his own original proposition, or will they accept the Amendment as a Proviso to Clause 2? That is a plain question—we in our turn are entitled to a categorical answer.

MR. W. E. GLADSTONE: My answer to that is that if, as I understand, my right and learned Friend agrees to accept our proposal, though he prefers his original plan, obviously his course is to ask the Committee for leave to withdraw his Amendment. That is my proposal. If he asks leave to withdraw his Amendment, then he accepts my proposal; if he does not ask leave to withdraw his Amendment, then he rejects my proposal. If he will state what course he will take, then I will state what course I will pursue.

MR. J. CHAMBERLAIN: Of course, my right hon. Friend has not given an answer to the question put to him. It is no use asking my right hon. and learned

Friend to withdraw his Amendment, because it is perfectly evident that, if he did, leave would be refused.

MR. W. E. GLADSTONE: I do not ask him to withdraw. I wish him to ask leave to withdraw.

MR. J. CHAMBERLAIN: Surely we want to come to practical business. What is the good of my right hon. and learned Friend asking the leave of the Committee to do anything which he knows beforehand it will not grant? The Prime Minister knows as well as anybody that the Amendment will not be withdrawn. Very well. I ask, under these circumstances, what is the Government going to do? The difference between the two sides of the House would appear to an uninstructed stranger as absolutely infinitesimal. The question before the Committee is whether the proposal made by my right hon. and learned Friend shall be put as a separate clause, between Clauses 2 and 3, or whether it shall be added as a Proviso to the 2nd clause? Can anyone conceive a smaller issue than that? [*Cries of "Why not agree" from the Ministerial Benches.*] My hon. Friends say, "Why not agree?" That is precisely what I ask; I am not going to tell the Committee why we shall not agree. I have said it would "appear" to be infinitesimal. If it were infinitesimal, why on earth should the Prime Minister have made any difficulty? If the Prime Minister thought it to be not of the slightest importance, do you suppose that he would have delayed the proceedings on this Bill for two or three hours? No; this is one of the cases which not infrequently arise in Committee in which, where apparently a difference is infinitesimal, a difference in words or a difference in methods cover a very serious difference in principle. The difference in principle is this. We know that the Government are perfectly ready to grant any words we like to ask for which do not go beyond a paper supremacy. I admit that in a Preamble or a clause the Government are willing to give us all the satisfaction we can desire, provided that the promise of supremacy in the Bill is not made effective in the Bill. The Nationalist Members are willing to accept this Amendment. The hon. Member for North Kerry said he did not think it went one jot beyond the Preamble. The



Amendment, however, has been raised with a distinct view, in order to put it before the House as the first of a series of Amendments which would make the supremacy effective. We take this as a *datum* line, and we want the Government to accept it as a foundation for the subsequent Amendments. When the right hon. Gentleman the Chief Secretary said, as he did in answer to the Leader of the Opposition, that when the Committee came to these subsequent Amendments the Government would reject them, in so doing the right hon. Gentleman took away all interest in the present Amendment. We do not thank the Government for accepting this Amendment unless they do so in the spirit in which it is proposed. The spirit and intention, surely, are of some importance. I pointed out on a previous occasion that while using exactly the same words right hon. Gentlemen on the Treasury Bench and hon. Gentlemen who support them are using these words in absolutely opposite senses. I am very glad to see the hon. Member for Waterford in his place. The hon. Gentleman stated in writing that he himself would come down to this House and would move Amendments to define the principle of supremacy, so as to make it impossible that this Parliament should interfere with affairs committed to the Irish Parliament by this Bill. I have not seen those Amendments up to the present.

**MR. J. REDMOND (Waterford):** The right hon. Gentleman is mistaken. I never stated that I would move Amendments to make it impossible for this Parliament to interfere, because my view is that, whatever Amendments were moved or carried in that direction, the power of this Parliament to interfere will still remain.

**MR. J. CHAMBERLAIN:** The hon. Member has interrupted me again and again when I referred to this matter; but he always makes a statement absolutely irrelevant to the one I make. The hon. Member has said two things not necessarily connected—two things that ought to be treated separately. The hon. Member has said that the theoretical supremacy of this Parliament cannot be disputed or disposed of. I quite agree with that, but I do not care one brass farthing for that theoretical supremacy. I know what

the theoretical supremacy of this Parliament is over Australia and Canada, and I do not want to set up in the case of Ireland a supremacy which is worth no more than the supremacy over Australia and Canada. The hon. Gentleman, so long ago as October, 1892, declared his intention to make it perfectly clear that the supremacy of this Parliament over the Irish Parliament should be limited. The hon. Member was referring to a speech made by the Chancellor of the Duchy in which the right hon. Gentleman appeared to have said—

“It is not a question of asking us to divest ourselves of this power, because we could not do so.”

That is the legal fiction—that is the imposture which has been exposed to-night, and the hon. Member knows perfectly well that it is an imposture. Referring to these words of the Chancellor of the Duchy, the hon. Member for Waterford in his article said—

“The rights of the Imperial Parliament would remain intact; those rights would remain dormant, so far as Irish affairs are concerned. A Parliamentary compact would be entered into binding the Imperial Parliament to leave those rights dormant.”

I will now quote the hon. Member again, because he is perfectly consistent, and why he should endeavour in this Committee to prove himself inconsistent I cannot imagine. This is a passage from his speech in the Debate on the Address in August, 1892—

“It comes to this, therefore: that what we ask is this—that in this Home Rule scheme there shall be a specific undertaking—a clause specifically undertaking that while the Irish Parliament continues in existence the powers of the Imperial Parliament to legislate for Ireland should never be used.”

Now, Sir, after that, what is the use of the hon. Member getting up and interrupting me and trying to minimise the significance of his own words? Let the hon. Member get up and say he has changed his mind.

**MR. J. E. REDMOND:** No.

**MR. J. CHAMBERLAIN:** Well, then, the hon. Member has not changed his mind. Now, Sir, I have all I want for the purposes of my argument. This is the *crux* of the whole Bill. It only shows how hon. Members who call themselves Liberals are entering upon a project for destroying the Empire. If I wished I could go on quoting from hon.

*Mr. J. Chamberlain*

Members belonging to the larger section of the Nationalist Party language which practically comes to the same thing as the language of the hon. Member for Waterford; but it will be sufficient to take the hon. Member as representing not only the opinion of himself and his Colleagues, but the opinion of all the Nationalists of Ireland. And now the Government are putting themselves at the mercy of the Nationalist Party, because, while you are saying one thing, the Nationalist Party are saying another. They do not say it in this House. They have good reason for not saying it. But are you so weak; are you so foolish as to be deceived by their silence? When this Bill is passed the Nationalist Party will say, and they will have a perfect right to say—"You gave us this Constitution knowing that we said we only accepted it on the understanding that your Imperial supremacy would for ever remain dormant, and you sat silent and allowed the Bill to pass." That is the question raised by this Amendment. The question is whether there is to be an effective supremacy of the Imperial Parliament over all persons and matters in Ireland after a local Legislature has been established there.

MR. J. E. REDMOND (Waterford) said, it seemed to him that the words "supremacy of the Imperial Parliament" had an entirely different meaning in the mouth of the right hon. Gentleman the Member for West Birmingham, and those he represented, than it had in the mouth and mind of himself. The right hon. Gentleman and his friends seemed to mean the exercise of the right of control and revision, as the Leader of the Opposition once put it, day after day in every detail of Irish public affairs, constituting thereby the Imperial Parliament after they had given Home Rule to Ireland, a sort of Court of Appeal upon every single act in every Irish matter of the Irish Parliament. To his mind the supremacy of the Imperial Parliament meant an entirely different thing. In that declaration of his, which he had heard repeated so often in the House that he really was sick of it, he used the word "dormant," and that word seemed to be translated by the right hon. Member for West Birmingham into "dead." Of course, it must be evident to every man that in the case of Ire-

land, as in the case of every part of the Empire to which they had given representative institutions, they must, by the very concessions of these representative institutions, make a compact with the country that they would allow it to manage its own affairs free from capricious interference upon their part, with local matters. What he meant by the supremacy of Parliament was this—that if Home Rule were granted to Ireland, Ireland was to be allowed in her own Legislature, free from the interference—the stupid, meddlesome, and ignorant interference of that House, to manage her own affairs subject to this condition: that the Imperial Parliament had the power, which, in his belief, it could not divest itself of by any Act or any section of an Act. [*Opposition cries of "Oh!"*] He was expressing an opinion that was not merely his own opinion, but was the opinion of the greatest Constitutional lawyers of the Kingdom—that the Imperial Parliament would have the power to interfere to prevent any act or oppression or injustice. It might seem egotistical in him to quote his own statements; but, really, there was a good excuse for him. Hon. Members had quoted over and over again from speeches he had made, not from those he delivered on the First and Second Reading of the Bill, but from speeches made many years back. He held in his hand a speech which he made in that House in 1892, in which he said, on this very point of the supremacy of Parliament—

"The Imperial Parliament is supreme. None of us desire to touch its supremacy, and it must remain to the end of things the supreme Imperial Parliament. It cannot divest itself of that supremacy. But I and others gather from the constant repetition of the phrase that what is desired and intended by some people is that after you have given us a right to an Irish Legislature to deal with Irish affairs, you wish to constitute this House a sort of Court of Appeal before which every act of the Irish Parliament would be brought up, reconsidered, interfered with, and destroyed."

That was the position he took up—and he did not at all hesitate to declare frankly what he had always held—that it was the duty of Irish Nationalists so to mould whatever Home Rule Bill was passed as to make it as difficult and as troublesome as possible for the Imperial Parliament to interfere in purely Irish matters. He had never denied that, no matter what

they might put into the Bill, the Imperial Parliament would have the power to interfere if it liked. But his desire was—and it was the meaning of the Amendment of which he had spoken more than once—so to frame the Bill that it could not be a matter of everyday occurrence for that Parliament to interfere in every petty detail of Irish life. An hon. Member who spoke that night, and, he believed, a countryman of his, used the phrase that the supremacy of the Imperial Parliament was to be exercised over Ireland in the same way as it was exercised over Kent and Sussex. That was an absurdity. Either reject this Bill altogether—that would be a perfectly intelligent course—or, if they granted a Legislature to Ireland, it followed of necessity that they must permit that Legislature, in purely local affairs, to manage these local affairs according to local sentiment. The Irish Nationalists, on their part, desired to insist that it would be a sham and an imposture if they were to give a Legislature to Ireland, with the intention in their minds not to allow that Legislature to manage the purely local affairs of Ireland, free from the meddlesome interference of the Imperial Parliament. But they stated at the same time that the Imperial Parliament had the power—a power which they believed it could not divest itself of, and of which they would have no right to complain if it were exercised to put down any intolerable acts of oppression, which they believed would not arise in Ireland, but such, if they did arise, they would be glad to see any power step in and destroy.

MR. J. CHAMBERLAIN: I wish to have this matter set straight. Let me say, in the first instance, that I accept the assurance of the hon. Member. I have never taunted the hon. Member with inconsistency. I believe he has been absolutely consistent, and I should not blame him if he said he had changed his opinions; but what I want to know is whether the hon. Member has changed his opinions? The speech of the hon. and learned Gentleman had nothing whatever to do with the point I raised. The hon. and learned Member said that he protested against interference with every petty detail being a matter of every day occurrence. Of course, there is no sensible person in the

House who believes that any interference of that kind would be possible or justifiable. It would reduce the proceedings of this House to a farce, and would be justly resented by the people of Ireland. Therefore, if I could regard exclusively the speech made by the hon. and learned Member just now, I would be practically in agreement with him. But the statement which the hon. and learned Member had just made is not the same as he made in August, 1892. The hon. and learned Member then said that the powers of the Imperial Parliament to legislate for Ireland should never be used. I agree with the hon. and learned Member that the powers of the Imperial Parliament should not be used in every petty detail of every day occurrences; but what the hon. and learned Gentleman has said is that those powers should never be used. He also said—

“We do not object to the retention of the right of revision, of amendment, review, and repeal of specific Acts of the Irish Parliament acting within its proper limits. We, therefore, claim that in purely Irish affairs we shall have full and supreme control.”

Hitherto, in arguing the matter I assumed that on the Ministerial side of the House there was an absolute concurrence of opinion that the supremacy of Parliament should be maintained intact and unimpaired over all persons and all matters; but from the cheers which interrupted me a moment ago it appears that there are some Members on the Ministerial side of the House who support the contention of the hon. and learned Member for Waterford that the powers attaching to supremacy should never be used in Irish affairs. Oh! this spectacle of a united Party. They will not say what they mean by the supremacy of Parliament because they have not yet agreed upon the point themselves. Well, Sir, I have got a quotation from another article written by the hon. and learned Member at a later date. [*Cries of “Oh!”*] I will not be interrupted; I will not be contradicted; and when my accuracy is challenged I shall certainly prove my case. In October, 1892, the hon. and learned Member wrote—

“The power, which in the case of the Colonies is harmless because it is a dead letter, would in the case of Ireland be a reality, and would be a perpetual source of humiliation, of heart burning, and of danger. We therefore say that a formal compact must be entered into that, while

*Mr. J. E. Redmond*

the Irish Parliament lasts, it will be permitted sole and unfettered authority on all purely Irish affairs, free from interference by the Imperial Parliament, and subject only to the constitutional veto of the Crown."

The hon. and learned Member will apparently have the support of certain Members of the Gladstonian Party. But I appeal to the bulk of that Party, to the men who are pledged up to their eyes to their constituents to maintain the effective supremacy of the Imperial Parliament. I appeal from the supporters of the Government to the Government itself. The Prime Minister himself has said, the Chief Secretary for Ireland has said, that whenever the Irish Parliament did anything oppressive or unjust the Imperial Parliament would have an immediate and effective right of interference, and of course that involves that the question of the injustice or oppression must be decided by the opinion of the majority of this House, and not by the opinion of the Members of the Irish Legislature. Then what we want is that these declared intentions of the Government shall be carried out. We desire to retain in the Imperial Parliament an effective supremacy, the effective right and power to interfere whenever the Irish Legislature does anything oppressive or unjust.

MR. W. E. GLADSTONE : My right hon. Friend the Member for West Birmingham has pursued his double avocation—first of all, of converting into a matter of hot and envenomed Debate that which is between the right hon. and learned Member for Bury and Her Majesty's Government, and which was a perfectly pacific and friendly discussion. That is the position which the right hon. Gentleman has chosen for himself in this House. And he has also endeavoured to determine and apply with unflinching rigour to the hon. and learned Member for Waterford that law of consistency which he disclaims for himself. In inconsistencies, in contradictions, in waverings, and in violent speeches, made in both extremes, no man in the House can for a moment compete with my right hon. Friend, and it would be an interminable task to bring into juxtaposition his innumerable contrarities against himself. With respect to the hon. and learned Member for Waterford,

what I have to say is this—that neither can I undertake to say how far the hon. Member's declarations at one time or another observes that inconsistency which I in vain look for in the declarations of policy of the right hon. Member for West Birmingham who now, arraigns the hon. Member, and I have listened to the declarations of the hon. Member for Waterford to-night and on former occasions, and I have heard the hon. Member give what appears to me to be a rational, just, and constitutional account of the supremacy of the Crown, and as to the use of that supremacy in the government of Ireland. I am bound to say also that in one portion of the speech of my right hon. Friend the Member for West Birmingham an account was given of the application and use of the supremacy in the government of Ireland which appeared to me in some degree to approach the language and spirit of reason and good sense. I accept the declaration of the hon. and learned Member for Waterford as being given in good faith. I hold the hon. and learned Member bound to his words, and what is a great deal more, the hon. and learned Member will hold himself bound to his declaration in its terms and spirit. The right hon. Member for West Birmingham has used in one portion of his speech some extreme language as to the authoritative sense which he intends to impose on the words of this Proviso. The right hon. Gentleman said—

"Do not accept it unless you accept it as the first of a series of Amendments intended to make the supremacy real and effective."

But for one circumstance I should have been disposed to treat these words of my right hon. Friend as making it impossible for the Government to accept the words of the Proviso. In the earlier and pacific stage of the Debate I had entirely accepted the words of the Mover. There was one question pending between the right hon. and learned Member for Bury and myself, and that was the position the words should occupy. I had hoped that the right hon. and learned Gentleman had pledged himself to accept the proposal I made that he should bring up these words as a separate clause, the Government binding themselves to insert the clause at the beginning of the Bill—that is to say, not later than before the 3rd

clause. I pointed out that the right hon. and learned Gentleman's acceptance of that arrangement, of course, implied the withdrawal of the present Amendment; but it appears that the right hon. and learned Gentleman declines to ask for leave to withdraw.

\*SIR H. JAMES: For the third time I now interpose in this matter. I understood that I gave the right hon. Gentleman a clear and specific answer before the adjournment as to the position I occupy, and I do not understand why the question is repeated. I have ascertained that the Committee will not allow this Amendment to be withdrawn, and yet the right hon. Gentleman now brings me to the front and presses me to withdraw it in order to make it appear that I have separated myself from my friends. I cannot comply with the request made to me by the Prime Minister.

MR. W. E. GLADSTONE: I understood that the right hon. and learned Gentleman agreed to my proposal. I understand now that he will not ask leave to withdraw. He may take that line if he chooses. I am in this position—that I had certainly accepted the terms of the Amendment, and, as the late Solicitor General truly stated when I made the request to the right hon. Gentleman, I did not make it an absolute stipulation of the condition of my acceptance. I also have this difficulty in connection with the Forms of the Committee. I believe that if I were to obtain a majority of the Committee in negating the insertion of these words in the clause, I should thereby preclude myself from bringing up any clause, or concurring in any clause, at the close of the Bill, for discussion. I am not disposed to take that course. As the right hon. and learned Gentleman has retreated, or changed his mind, and has decided not to ask for leave to withdraw the Amendment, which I thought the right hon. and learned Gentleman would ask leave to do, I am not in a position to resist the insertion of the words. But I am entitled to say that the Government will reserve to themselves a discretion later on as to the position the words shall take in the Bill, and of giving to them the entirely unexceptional form which I suggested at an earlier stage. I am desirous, in strict faith with the Committee, to accept the words which I had

already accepted before the peaceable progress of the Debate was interrupted by the right hon. Gentleman the Member for West Birmingham. I hope that one thing will be clearly understood, and that is that this Amendment, considered as the initial stage of a series of Amendments intended to foreshadow the limitation of the powers of the Irish Legislature, is entirely and emphatically disclaimed by the Government, and that to all the Amendments which have that character attaching to them the Government will offer a consistent and unflinching opposition. The intention of the Government is to bring about the failure of the right hon. Gentleman the Member for West Birmingham's object, which is to set the Committee by the ears.

MR. A. J. BALFOUR: I think the Committee is to be congratulated that the Government has, at 20 minutes past 11, announced their intention of accepting the Amendment, which, if they had accepted it at 20 minutes to 8 o'clock, would have saved  $3\frac{1}{2}$  hours of the time of the House, which the Government are always telling the Opposition they are wasting. The course that the Government are pursuing is not only one which is very little calculated to promote harmony in Committee, but it is eminently calculated to waste time. Apart from that, the right hon. Gentleman has, although late in the day, accepted the Amendment proposed by the right hon. and learned Member for Bury, but he has chosen to qualify that acceptance with the announcement that he means to restrict the Amendments to words which if left alone in the Bill will be worth absolutely nothing. The right hon. Gentleman is prepared to pay his homage to what in an earlier speech he described as a hallowed thing—namely, the supremacy of the Imperial Parliament—but he is not prepared to introduce one particle into the Bill by which that hallowed thing shall also become an effective thing. The Prime Minister has told the Committee, in language as clear as he or any one else could make it, that he is perfectly prepared to introduce words into the Bill to which he can appeal as showing that the Government have preserved the supremacy of the Imperial Parliament. But, at the same time, he has given expression to his unalterable determination not to allow one single Amendment to be

introduced into the Bill by which this nominal supremacy can be turned into a real supremacy. The statement of the Prime Minister leaves nothing to be desired, for once in a way, in point of clearness. All I wish is that the country should understand that when the Prime Minister and his Colleagues, and the hon. Gentlemen who now support him, talked to their constituents about maintaining the supremacy of the Imperial Parliament in the Home Rule Bill, they had nothing in their minds but the intention of preserving that which was absolutely ineffective in practice;—which the long experience of this country in dealing with the Colonial Legislatures shows to be nothing in practice, and which we may therefore assume that unless we succeed in modifying the Bill in Committee, or at a later stage, will reduce the powers of Parliament over the affairs of Ireland to the level of the powers it possesses over the affairs of Canada and Australia. I congratulate the Government on having at last put an end to a long and perfectly useless discussion, but I cannot congratulate them on having in any way improved their Bill.

Amendment agreed to.

\*THE CHAIRMAN ruled that the next Amendment, standing in the name of the hon. Member for South Derry, was out of Order, as it was included in the scope of the Amendment which had just been agreed to.

SIR THOMAS LEA (Derry, S.): On a point of Order, Mr. Mellor. Does not my Amendment go further than the one which has just been accepted?

\*THE CHAIRMAN: I think the Amendment which has been accepted is much larger than the Amendment of the hon. Baronet, and includes that Amendment.

MR. HANBURY (Preston) rose to move to add at the end of the clause—

“Provided always that there shall remain and be in each House of Parliament a Minister of the Crown holding office in the Imperial Ministry responsible for Irish affairs.”

MR. SEXTON: On a point of Order, Mr. Mellor. I wish to ask whether this Amendment, which relates to Executive Government, can be properly moved on a clause relating to the Irish Legislature; and whether it should not rather be moved on Clause 5, which relates to Executive Authority?

\*THE CHAIRMAN: The Amendment relates to the Imperial Parliament.

MR. SEXTON: Clause 2 relates to the Irish Legislature only. The Amendment relates to Executive officers, and therefore it has nothing to do with Clause 2, but it has to do with Clause 5, which relates to Executive authority.

THE CHAIRMAN: I think that is so; and the Amendment ought to be moved on Clause 5, or brought up as a separate clause.

MR. HANBURY: May I submit to you, Sir, that this Amendment has nothing to do with the Executive?

\*THE CHAIRMAN: It is out of Order on this clause.

MR. J. G. LAWSON (York, N.R., Thirsk), moved to add the words—

“Provided that no such laws be repugnant to the law of Great Britain and Ireland.”

He said that the Amendment was simply to provide that the Irish Legislature should be placed in the same condition as the Colonial Legislature occupied at the present time. The words were taken out of the Act which constituted the General Assembly of New Zealand, and which was passed in 1852.

MR. T. M. HEALY (Louth, N.): Mr. Mellor, I wish to ask whether the provision of this Amendment is not covered by Clause 33?

MR. J. G. LAWSON said, that Clause 33 merely asserted that those Irish Acts which were not repugnant to Imperial legislation should be valid. His point was that those which were repugnant should be invalid.

\*THE CHAIRMAN: I cannot say the Amendment is out of Order.

MR. J. G. LAWSON said, the clause he should briefly refer to was Section 53 of the Act 15 and 16 Vict., chap. 72, which constituted the General Assembly of New Zealand. In that section it was provided—

“It shall be competent to the said General Assembly (of New Zealand), subject, as hereinafter mentioned, to make laws for the peace, order, and good Government of New Zealand, provided that no such laws be repugnant to the law of England.”

That was exactly what he proposed by his Amendment for this new subordinate Legislature it was proposed to set up in Ireland. In the case of New Zealand it was provided by an Act that laws repugnant to English laws should be invalid.

The same thing had been read in all laws establishing Colonial Legislatures, and that was the case up to the year 1865. In that year it was considered necessary by this Parliament to pass a general Declaratory Act setting out fully the condition of the Colonial Parliaments with regard to their power to make laws differing from the laws passed by the Parliament of England. That Act had a great and important bearing on the subject they were now discussing. It was entitled "An Act to remove doubts as to the validity of Colonial Laws." It was found necessary to clear up some doubts about Colonial Laws, and accordingly this section was enacted in the Colonial Law—

"Any Colonial Law which is or shall be in any respect repugnant to the provisions of any Act of Parliament extending to the Colony to which such law may relate, or repugnant to any order or regulation made under authority of such Act of Parliament, or having in the Colony the force and effect of such Act, shall be read subject to such Act, Order, or Regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative."

That applied to every Colonial Legislature in this Empire, and the object of the Amendment was to provide that a new Legislature to be established in Ireland should be placed in the same position as all Colonial Parliaments were in. How had this matter been dealt with in practice, and how had they proceeded since 1865 to work the Colonial Legislatures with reference to that Parliament without any great amount of friction? That had always been a delicate task. He was glad to see the Chancellor of the Exchequer present, and he wished to read to the Committee an authority the right hon. Gentleman would recognise and approve. A letter signed "Historicus" appeared in *The Times* in 1879. It said—

"The whole question of the relations of the Imperial authority to the representative Colonies is one of great difficulty and delicacy. . . . Colonial independency is a mere matter of abstract right. The Mother Country has not parted with her claims of ultimate supreme authority."

He read that for the purpose of showing what difficulty there had been in working the relations of these subordinate Parliaments and the Imperial Parliament. Three-fourths of that difficulty arose because, with the exception of New

Zealand, in creating these Legislatures it was left open how far they were enabled to pass laws repugnant to the laws of England. A uniform system had now been established for deciding how far laws passed by Colonial Legislatures were repugnant to the laws of England. In Todd's *Essay on Parliamentary Government in the British Colonies*, it was stated—

"All Colonial enactments are submitted to the Secretary of the Council by the Colonial Department, and, when necessary, to the Law Officers of the Crown, to ascertain their legality, and to determine whether they contain any provision which is repugnant to the law of England. And any law to which objection could be taken on the ground of repugnancy is, to the extent where it is so repugnant to Imperial legislation, absolutely void and inoperative, and should be formally disallowed by the Crown."

If the Prime Minister had expressly declared he was about to place Ireland in the position of a Colony—that was to say, had enacted it in the Bill, and had put in plain words the substance of the speech he made in answer to the Amendment of the hon. Member for North Islington, they would not have had to trouble with this Amendment; because if the Irish Legislature was known and declared to be analogous to a Colonial Legislature, then the Act of 1865 would cover this matter, and the law would be as he desired it to be without any further Amendment. In such a case they would have the same method as they had in the Colonies of discovering whether the laws passed in Ireland were or were not repugnant to the English laws. It was, he understood, suggested that Ireland would never make any alteration whatever in her laws if these words were added to the Bill. But the Colonies had succeeded in passing a large number of measures in spite of being in the position he desired to place the Irish Parliament in. Canada, for instance, passed the Copyright Act, 1875, which made a great difference between the laws of Canada and those of this country. And what did they do? They came to that House and got an Act passed consenting to the Act which had been passed in Canada. So, also, the Irish Parliament, if it altered the law in such a way as to be repugnant to the law of the rest of the Kingdom, would, before they received the Royal Assent to such a Bill, have to

Mr. J. G. Lawson

obtain an Act from the Imperial Parliament declaring it right such a Bill should be passed. Of course, it would be competent to argue that the Bill dealt with matters exclusively Irish; and, if so, there would be no difficulty in passing the necessary measure of assent through the Imperial Parliament, so that there would not be a complete check or stop on Irish legislation, but there would be a check on legislation which they in that Parliament did not consider just. He should like to remind hon. Members that they had their constituents to consider in this matter. They had made certain promises to those constituents which they desired to fulfil. It was in them, as their Representatives, that the constituents reposed confidence, and to whom they looked to see that justice was done throughout the whole of the United Kingdom, and no British citizen was deprived of the protection of the law of the land. It might be argued that, even without the words he proposed, the Imperial law would override the law of the Local Legislature. At the time that the Merchant Shipping Act Amendment Bill, 1875, was before the House, Mr. Childers brought forward a clause with regard to British deserters. The then Solicitor General, speaking on behalf of the Conservative Party, said—

"There could be no doubt that the Act of the Imperial Legislature would override any Act passed by any Local Legislature."

Mr. Serjeant Simon thereupon remarked that he heard that statement with amazement. Then came the present Chancellor of the Exchequer, who said—

"He hoped the Government would not endorse the high prerogative doctrine of the Solicitor General. It was exactly by such a dangerous assertion of power on the part of the Imperial Legislature that they had lost their great Colonies in America, and he thought that Crown lawyers of the present day would have profited by the experience of the past. It was both unnecessary and impolitic to raise these questions in regard to Colonies having representative institutions."

At that time it was clear that the right hon. Gentleman did not think it was undoubted that a law passed by this Parliament would override a Colonial Act. Lest such doubts and difficulties should arise in the future, he desired to have it plainly put in the Bill that if the Irish Legislature passed a law repugnant to the law of England, then the law of

this Parliament should overrule that of the Local Legislature. He begged to move the Amendment.

Amendment proposed,

At the end of the foregoing Amendment, to add the words, "Provided that no such laws be repugnant to the law of Great Britain and Ireland."—(*Mr. Grant Lawson.*)

Question proposed, "That those words be there added."

MR. W. E. GLADSTONE said, this matter was provided for already. It was provided definitely in the Bill that any law repugnant to the law of Great Britain and Ireland shall be totally void of force. Therefore, he could not consent to insert in the Bill a provision to attain a purpose which was attained already. He remarked that when Amendments of this kind was put on the Books, they ought to be moved in the form in which they were put on the Books.

VISCOUNT CRANBORNE (Rochester) asked did he understand the Government did not accept the Amendment?

MR. W. E. GLADSTONE: The matter is provided for already in Clause 33.

VISCOUNT CRANBORNE submitted that that was not so. What his hon. Friend proposed to enact was that when Irish Acts differed from English Acts they should be void. As far as the 33rd clause was concerned, no enactment was proposed in regard to those Irish Acts which were repugnant to the British Acts. All that was stated was that Acts which were not repugnant to British Acts should be valid. What they desired to provide was that when these Acts were repugnant they should be invalid. He hoped his hon. Friend would adhere to the Amendment. It was an important Amendment in the light of the authority of the Chancellor of the Exchequer, who had given the weight of his great Constitutional authority to the proposition, that it was not undoubted that an Imperial Act would over-ride a local Act.

SIR WILLIAM HARCOURT desired to be allowed to state that his hon. Friend had misapprehended what he (Sir W. Harcourt) stated in the passage he had read. What he stated was that it would



be unwise to use the power of England in the way it was used when she tried to force the tea on Boston and when she passed the Stamp Act, which led to the Rebellion of the American Republic. That was a totally different proposition from saying that the Imperial Parliament had not power. He believed that most Constitutional lawyers held that, independent of the veto, they had that power, and what he stated in the passage to which the hon. Member had referred was that it was a very unwise use of that power which was exercised by the Imperial Parliament at the time to which he referred, and that was very much the doctrine which had been very ably stated that night by the hon. and learned Member for Waterford. The hon. and learned Gentleman had admitted the power existed, but that it would be a very unusual thing to exercise that power upon all occasions to over-ride communities either like Ireland or like our Colonies, or like what the United States of America were. That was all he (Sir W. Harcourt) stated on the occasion referred to, and to his then statement he begged to adhere.

MR. TOMLINSON (Preston) said, there seemed to be a sort of impression on the other side of the House that they could separate English and Irish affairs, and that everything which the domestic Legislature which was to be established in Ireland would legislate upon would be exclusively Irish. But they lived too near Ireland for that possibility to exist. The County of Lancashire, for instance, was very much connected with Ireland, and its traders had a perfect right to ask that the laws under which they took contracts should not be disturbed by what the Irish Parliament might hereafter do. On this ground he supported the Amendment.

Question put.

The Committee divided :—Ayes 215 ; Noes 265.—(Division List, No. 89.)

It being after Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress ; to sit again To-morrow.

*Sir William Harcourt*

## M O T I O N S .

### EDUCATION (SCOTLAND), MINUTE OF COUNCIL, 1893.

#### MOTION FOR AN ADDRESS.

SIR CHARLES PEARSON (Edinburgh and St. Andrew's University) rose to move—

"That an humble Address be presented to Her Majesty praying Her to withhold Her assent from a Minute of the Scotch Education Department, dated the 1st day of May 1893, providing for the distribution of the sum available for Secondary Education, under Section 2 (1) (b) of the Education and Local Taxation Account (Scotland) Act, 1892."

He said the Motion really resumed the discussion which the House entered upon in the end of February last, and it would be in the recollection of hon. Members that on that occasion the right hon. Gentleman the Secretary of Scotland, after the remarks he made, urged that the Debate should then terminate in order that he might consult, by way of circular, certain of the Local Bodies in Scotland. The situation had changed since then only in this respect : These Local Bodies had given in their Reports, and had thus given the right hon. Gentleman the advice he sought, though hardly the advice he expected. It was absolutely necessary in supporting this Motion he should very briefly remind the house of the earlier history of this question in order that they might see why it was that he felt justified in asking the Government to give some explanation of their proceedings and the position in which they had brought this highly important question of Secondary Education in Scotland. Last year an Act was passed assigning a sum of £60,000 for the purpose of promoting Secondary Education in that part of the kingdom, and, after allowing for £3,000, which was taken up for administrative purposes, a balance of £57,000 was left. In the course of the passage of that Act the Scotch Education Department laid on the Table of the House a Minute or Memorandum which indicated in more or less detail, but only by way of a tentative proposal, the mode in which they thought the money should be distributed and administered. That Minute was severely criticised, among others, he thought, by the Secretary for Scotland, but at all

events by some hon. Members of the then Opposition; and the result of their criticism was that the Memorandum was withdrawn on the footing that a Departmental Committee should be appointed to examine and inquire into the whole question. That Committee was appointed. It consisted of five gentlemen of special skill in educational matters, including the right hon. Gentleman the Vice President of the Council on Education, and in the beginning of August that Committee unanimously reported to the House certain recommendations with reference to the distribution of this money. They sketched out a scheme which, almost directly after their Report was tabled, was embodied by the Education Department in a Minute dated the 11th or 12th August. In consequence of the change of Government, there had been no opportunity for Parliamentary discussion on this question. The Minute of August last practically embodied the recommendations of the Departmental Commission. After the Secretary for Scotland had been in Office from the month of August until December he followed out one of the recommendations of the Commission by setting on foot the election of certain Local Committees throughout Scotland—one for each county and one for each of the larger boroughs. These Committees were elected under a Minute of December, which was issued by the Department, and this was followed up by a Minute on the 31st January, 1893, which was the subject-matter of the discussion in that House at the end of February. That discussion was of a very brief nature, and was brought to a rather premature close by the offer which was made by the Secretary for Scotland. The right hon. Gentleman said that he intended to take the advice of the Local Committees which had been at that time set on foot. He said he would issue a Circular from the Department to these Committees asking their advice as to the mode of distribution of this money, and he said—

"When we have the replies I will communicate the general result to Parliament, and if necessary I will lay a Supplementary Minute on the Table. Whatever is done shall be done with the full knowledge of Parliament; Parliament shall be consulted; Parliament shall have an opportunity of pronouncing; and

I trust that what will finally be arranged will be done with the concurrence of Parliament. . . . The final system of Secondary Education in Scotland shall not be arranged without the House having an opportunity of passing a judgment on it by Debate or by vote; and I earnestly trust that, having made this explanation and given these pledges, the Debate may not be further prolonged."

After that the discussion terminated, the Debate having been a very short one indeed. The Department, on the 1st March, issued a Circular in the terms of that undertaking, asking the advice of the local Consultative Committees which had been created, and they all hoped that the right hon. Gentleman, if he was not prepared to abide by the result, would, at all events, take that result into very serious consideration. But he had not sufficient confidence in the Local Bodies to abstain from putting before them in this Circular what he could not help regarding was a tolerably strong temptation to accept the proposal there made, because in that Circular the Secretary for Scotland said he wished it to be understood that the system on which the opinion of the Committee was asked was one under which the Local Committee would construct a scheme guided by its own independent judgment as to the requirements of the locality, and the approval of the Department would not be withheld relative to the distribution of the sum available, based upon giving the best facilities for secondary education in each district. It was a very taking proposal to any Local Body that they should be offered money to be spent according to a scheme constructed in conformity with its own independent judgment and subject only to the approval of the Department. The right hon. Gentleman had received replies from these Local Bodies, and these replies entered very deeply into the consideration of the present position of this question, and in particular into the position of the Secretary for Scotland and those who had advised him in this matter with reference to the scheme which he had now laid on the Table of the House. These replies came from the 39 Local Bodies which had been created in the

month of December, and he proposed to call attention to three or four. The issue that was put to these Bodies was practically this—

“Will you, in the distribution of this money, adhere to the proposals of the late Government in their Minute of August, which was substantially repeated by the present Government in its Minute of January, 1893, or would you prefer to have the distribution of the money yourselves, not according to the theory of the Capitation Grants upon which previous Minutes were based, but according to some proportionate distribution of money over the length and breadth of Scotland, according to districts—either according to the valuation or the population, or according to both combined.”

Of the 39 replies that were obtained, 24 preferred to adhere to the Minute of January which the right hon. Gentleman himself, after considering the question from the month of August to the month of January, laid on the Table of the House, while 15 were in favour of a proportional allocation among the localities; so that the bodies which the right hon. Gentleman selected were divided as three to two in favour of the right hon. Gentleman's previous Minute and against the proposal which he (Sir C. Pearson) thought was, to a certain extent, forced upon his notice by the hon. Member for North-East Lanarkshire. That was a startling enough result, but it became still more startling when one examined in detail the replies themselves. In the first place, as might have been expected, they had certain of the larger, and also certain of the smaller, counties in favour of the Minute of January. Of the counties which pronounced in favour of that Minute he would mention those of Banff, Elgin, and Nairn, and the great North-West Counties of Sutherland, Ross, Caithness, Inverness, and Argyll. All these District Committees, representing these very extensive and important counties, pronounced in favour of the Minute of 31st January, which the Government had already tabled. There were also the burghs of Dundee and Govan, and all these were component parts of the 24 who voted against the new proposal of the Government and in favour of the Minute of January as it stood. He should like to refer the House

*Sir Charles Pearson*

to two of the replies, because he thought they were exceedingly significant. One was that of a county and the other that of a burgh. There were stronger ones than those he selected, but he selected them because of their importance. The County of Lanark, which was in part represented by the hon. Member for North-East Lanark, who originally raised this question, received a Circular along with the other Local Committees, and the Local Committee of the County of Lanark, having considered the Circular, recommended that the grant should be distributed by the Education Department in accordance with the Minute of January, 1893. What took place upon that they did not exactly know, but one thing was certain, and that was, that the Secretary for Scotland was astonished at that reply, and caused a letter to be written to Lanarkshire asking if it was really true that was their opinion. The letter was no doubt couched in official language, but in effect he believed it stated—

“Do you mean to tell me that the county in part represented by the hon. Member who raised this question originally is in favour of the Minute which he pronounced against and opposed to the very suggestion he himself made?”

The reply received from the Lanarkshire County Committee stated that the Committee were unanimous in preferring that the grant should be distributed by the Department under the Minute of 31st January rather than in the manner suggested by the Circular of the 1st March. The other reply was from the Burgh of Dundee. He did not think for one moment that Party politics entered into this question in the least, but at the same time it was interesting to know that Dundee was represented in that House by two supporters of the Government, one of them a distinguished Member of the Government—the Civil Lord of the Admiralty. Yet the Burgh of Dundee pronounced in unmistakable and strong language, not merely condemnatory of the proposed Minute of May, but they also remonstrated in strong terms against the supersession of the Minute of January 1893. Dundee took the view

that they could not expect to get the amount they were entitled to if population were the basis of the distribution, and they took the wider ground and stated that if the new scheme were adopted instead of stimulating secondary education it would have the precisely opposite effect, and they earnestly urged that the Minute of the 31st January should be adhered to in preference to the Minute suggested in the Circular. Would the House just for one moment observe the position in which this left the question. After a single speech had been made on the last occasion against the Minute of January, the Secretary for Scotland requested that the Debate should terminate on this ground: He said they had embodied in the Minute of January the recommendations of the Departmental Committee. He admitted it was a strong Committee and admirably composed, and stated that that was the only advice they could get at the time. But since that time, he told them, another set of advisers had been called into existence—to wit, the Local Committees, and before they finally settled the Secondary Education of Scotland it would be well to consult these Local Bodies and be advised by them. He thought the House was entitled to some explanation from the right hon. Gentleman of this astounding change of front which he had so quickly made, in spite of the strong remonstrances that had reached him against any abandonment of the principles of the Minute of January; in spite of the expression of opinion of those whom he chose to advise him; and in spite of the Departmental Committee's unanimous recommendation. The right hon. Gentleman after consulting the Local Bodies, who, he said, were "able and well qualified to speak," threw these Bodies over and tabled this Minute. What were the grounds on which he asked them to assent to this Minute as compared with the Minute of January? It differed *toto cælo* from every detail of that Minute. The principle of earning a certain amount for work done was entirely departed from in the present scheme. The mode of distribution proposed to be substituted was according to the population of the various districts; but the

replies of the local committees were all against that—against distribution by population—with the exception of two, the Isles of Shetland and the small, but most important, County of Clackmannan. He did not know whether the Secretary for Scotland had yielded to the influence of the Lord Advocate (Mr. J. B. Balfour) in this matter, but if he had done so it had been in opposition to the opinion of such counties as Aberdeen, Linlithgow, and Dumfries. These local committees were originally appointed for the specific purpose of advising the Department as to the requirements of Secondary Education in their respective districts; but it was now proposed, without their going back to the electors, that they should be made permanent committees with very uncertain functions. He did not know whether the right hon. Gentleman had received a Circular that morning from the School Board of Glasgow on the subject. They were absolutely anxious to know whether they were to receive the money or whether they would have administrative functions, because while these Bodies, which were called into existence as temporary Bodies, were to have the administration of the schemes subject to the approval of the Department, he found nothing in the scheme to give them administrative functions, and they could not appoint a clerk—or even a treasurer—to receive the money. He would also like to ask for special attention to this—how the right hon. Gentleman reconciled the composition of these committees with the existence of the School Boards, especially in the large burghs like Glasgow, Edinburgh, and Dundee? It had been suggested that the Minute should be further delayed. He was not in favour of further delay unless the right hon. Gentleman was unable to give to the House, and especially to hon. Members from Scotland, some satisfactory assurance on the various points he had raised. If such assurance could not be given, he thought delay would be absolutely necessary.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty praying Her to withhold Her assent from a Minute of the Scotch Education Department, dated the 1st day of May, 1893,

providing for the distribution of the sum available for Secondary Education, under Section 2 (1) (b) of 'The Education and Local Taxation Account (Scotland) Act, 1892.'—(*Sir Charles Pearson.*)

\*THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): Sir, I will not enter into the history of this question except as far as it is covered by the interval between the Debate that took place 10 weeks ago and the present moment. As the right hon. Gentleman has said, the Minute I laid before the House was founded on the recommendations of a very powerful Departmental Committee; but when it came before Parliament, except myself, not a single Member in the House said a good word for it. Seven hon. Members on that occasion made speeches, every one of which was strongly condemnatory of the scheme as laid down in the Minute, and I stood absolutely alone amongst the defenders of the scheme, and it was swept out of the House by the unanimous condemnation of the Scottish Members who spoke, and, as far as I could judge, of all the Scottish Members who cheered. But this condemned scheme is law at this moment, unless the present Minute is accepted by the House. I promised to lay the Minute before the County Committees to get the opinion of Scotland on the question. Now, I will tell the right hon. Gentleman where I differ from him. He says the idea that each separate county and large burgh should have its own allotment of money, and that it should distribute the money in a way pleasing to itself, has been condemned by the people of Scotland, because 24 Bodies have voted against it, and only 15 in favour of it. But each of these groups of Bodies represent exactly the same population, so that the population of Scotland is exactly divided on the question. I must say that I could not venture again to present to the House a Minute which has been received with universal disapprobation by the independent opinion of the Scotch Members. I suppose, as the opinion of Scotland is equally divided, a sensible administrator must take the course he knows will be pleasing to the House. But there is another reason why this course should be taken. The money

has been allotted under the Equivalent Grant, and it represents the money which falls to the lot of Scotland from the Probate and the Excise. It is contributed by the localities in proportion to their valuation. The money belongs to each locality, and to distribute the scheme all over Scotland, without any reference to the amount due to each locality, is in some respects a very good scheme; but it cannot possibly be adopted unless there is something like unanimity among the localities; and when one-half of the population object this solution is impossible. Another consideration is that this scheme for distributing this sum of money over Scotland by Capitation Grant is a very delicate financial operation, and it is very difficult to make both ends meet. The only method by which it can be done is by carrying out a carefully prepared scheme based upon full knowledge of the circumstances of the case by the Central Department. If a general scheme for Scotland is altered in the sense of greater liberality under Parliamentary pressure, a financial breakdown would certainly occur. The right hon. Gentleman asks why take population and not population and valuation. I can reply to him on this point in a single sentence. The real disadvantage of this scheme is that certain rather thinly inhabited, and not very rich, counties which expected under the January Minute to obtain very considerable grants in proportion to their richer neighbours were extremely disappointed, and it is in order to do something for those districts that the Department has taken population rather than population and valuation, and, therefore, that Glasgow and Edinburgh will get something less, and Inverness-shire and Ross-shire something more. Another advantage of this Minute is its finality. If the House rejects this, after its action on the Minute of January, it will be said that the House does not know its own mind. I promised Parliament to consult the Committee, and I have done so. I said that whatever was done would be done in the full light of Parliament, and I now submit the question to the judgment of the House. With regard to a general Capitation Grant, I may say that in my opinion you cannot carry a general capi-

tation system unless you have unanimity, and unless you have that and the approbation of Parliament you cannot get it. With regard to that approbation, I would say that I believe this second Minute has fairly the approbation of Parliament and of Scotland, and I ask hon. Members to reflect that this affects very seriously the financial beginnings of the scheme. If the Minute be adopted by the end of 1893 Scotland will have received this and last year's grants in the course of the first twelvemonths, amounting in all to £114,000. You will see the importance of that. I have taken every pains in this matter. I have fulfilled all my pledges to the House, and I have tried to consult the real feeling of the House. That being so, I hope the Minute will be allowed to pass.

MR. THORBURN (Peebles and Selkirk) said, he had received strong remonstrances from his constituency against the Minute. His own county, and some other counties in the South of Scotland, had protested against the proposal to allocate this money on the basis of population. What, he would ask, was the good of consulting the various Committees in Scotland if their opinion was to be disregarded? He could say, and they need not be surprised at it, that there was a feeling of great indignation at the treatment of opinions of the majorities. He would like to know why these majorities were consulted if it was not intended to carry out their views? The reason why the County Committees objected to the basis of population was that the large centres, like Glasgow, and Edinburgh, and Dundee, would get most of the money. In previous debates there was a general consensus of opinion among Scottish Members in favour of the primary claim of the burgh high schools in any scheme for the development of Secondary Education; but the Minute of the 1st May practically ignored them altogether. Was it fair that a place like Glasgow should get £8,000, or one-seventh of the whole? If they included Govan, Lanarkshire would get one-fourth of the whole. That money went to places which did not require it. The same might be said of Midlothian, including Edinburgh, which would get one-sixteenth, while Perth

City would receive a sum of £1,830—a city which had an educational endowment in regard to which a few years ago the administrators had more money than they could use for educational purposes. What he would suggest was, that if the Minute was passed at all, £2,000 at least should be retained to be distributed by the Department to existing higher class schools needing outside aid, the selection of these schools being left to the Department. If that were done, such a school as that at Peebles would have a chance of getting on; if it were not done, nothing would prevent it from being extinguished.

\*MR. RENSHAW (Renfrew, W.) said, he rose to support the Minute of the 1st May, as he believed it would give the people of Scotland the opportunity of deciding in their own localities whether they should adopt any part, or the whole, of the special conditions of the Minute of 31st January. At the same time he had some fear that the present formation of the Committees, representing as they did, in the main, county interests, might in the long run lead to points of difficulty in the administration of the money on questions raised between the burghs and counties, especially where those burghs had secondary schools. With reference to this matter, he found that if the Amendment of his right hon. Friend was carried to a Division he would be precluded from moving the Amendment which he had placed on the Paper. Speaking as Chairman of the County Committee for the County of Renfrew, it was necessary to explain why he was anxious that burgh authorities should be represented on these Committees. He took it that the experience they had had in Scotch counties, in connection with Technical Education, and the difficulties of administering the money from the Residue Grant on account of the interest of the counties and burghs being separated, must have brought to the mind of any one who had followed the administration of the fund the great difficulty there was in carrying the counties and burghs harmoniously together in the administration of the money. As an example he took Renfrewshire. According to the constitution of the Committee, none of the burghs would be represented on the Secondary Education Committee unless by the favour of the Chairmen of the

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fact. It had been said that Perth was to get a sum of £1,830. Had that been the case he should not have objected to the Minute. As a matter of fact, it was the County and not the City of Perth that was to receive the amount referred to, and that was, of course, quite a different thing. The objects of the Government were very clearly laid down by the right hon. Gentleman the Secretary for Scotland (Sir G. Trevelyan) in February, when he said they desired to improve Secondary schools, to draw large numbers of children to them, and to establish schools in districts where at present there was no Secondary Education. This Minute did not tend to promote the first and main object thus stated, as it would not conduce to the welfare of burgh Secondary schools, which were practically the only existing schools of the kind. The Minute might prove a good one in its operation, but that would depend entirely upon how certain powers reserved to the Department were to be exercised; and he could not say, after the speech of the right hon. Gentleman the Secretary for Scotland, that the Department appeared desirous of exercising them in the way he (Mr. Whitelaw) would have liked to see. Consequently, he was unable to support the Minute; but he certainly would approve of the Minute of the 31st January if the limit of the fee were increased, and some alterations were made in the composition of the County Committees. He had been requested to bring before the Committee a small point of law, and he did so with some hesitation, as he was not a lawyer. The present Minute established the County Committees as permanent Committees, and forced them to manage or, at any rate, to interfere with the management of the higher class public schools in Scotland. He referred especially to those scheduled in the Act of 1872. That Act provided that the scheduled schools should be managed by the School Boards, and the point he wished to bring forward was that the Scotch Education Department was by a Minute going to repeal a clause in an Act of Parliament. The Court of Session in the Port Glasgow School Board election case declared that the Scotch Education Department had no power by a Minute to repeal the

clause of an Act of Parliament. This was a point which he hoped would have the consideration of the Government.

VISCOUNT WOLMER (Edinburgh, W.) said, he had been requested by the School Board of Edinburgh to impress on the Secretary for Scotland the inadequacy of the representation of that Board on the Edinburgh Committee. The Board was the only popularly elected Educational Body in the City, and yet it was given only three representatives out of a total of nine on the Committee. In the case of Govan he believed the Department had given way and increased the representation of the School Board, and all he asked was that the Government should adopt the same course with regard to Edinburgh.

SIR MARK STEWART (Kirkcudbright) entirely disagreed with the hon. Member for Aberdeen (Mr. Hunter), who considered that Secondary Education could be best dealt with locally. He (Sir M. Stewart) believed it could be far better dealt with from a central position, there being so many jealousies in a locality that it was absolutely impossible to arrive at any fair conclusion unless it were so dealt with. He should like to see the Minute of the 31st of January amended, and if the right hon. Gentleman would consent to amend it in a specified way which he (Sir M. Stewart) would be glad to point out to him, it would give satisfaction to many places in Scotland.

\*MR. WEIR (Ross and Cromarty) said, the hon. and learned Member for Bute-shire (Mr. Murray) had hit the right nail on the head in saying that there was not sufficient money for the purpose of Secondary Education in Scotland, but it would be interesting to know why the hon. and learned Member and his friends when they were in power did not provide enough money.

MR. PARKER SMITH (Lanark, Partick) hoped that the House generally would assent to the new Minute. It was unfortunate that on the occasion of the last discussion on this subject their voices were raised against the Minute of the 31st January. While he did not approve of the principle involved, he looked upon it as inevitable in this case. As to the point raised by the hon. Mem-



ber for Selkirk, he would remind him that a sum of £2,000 had been reserved from the general distribution in order to meet such cases. He was prepared to accept the scheme, though he did not approve of all its details.

DR. MACGREGOR said, that as representing one of the largest Scottish counties and one of the poorest populations, he had to announce that his county was opposed to the present Minute, and much preferred the one of the 31st January. It was obvious that to be of any use at all the money ought to be concentrated and applied to three or four schools conveniently situated for the boys. A few bursaries might advantageously be created.

Question put.

The House divided :—Ayes 33 ; Noes 136.—(Division List, No. 90.)

\*MR. RENSHAW asked the Secretary for Scotland whether he would give some assurance that the question raised as to borough representation on County Committees would be attended to by the Government ?

SIR GEORGE TREVELYAN : I must ask the House to allow this Minute to become law without Amendment. With regard to the question put to me by the hon. Member for Renfrewshire, I will cause an inquiry to be made to see what boroughs there are which have inadequate representation on County Committees, and I promise the hon. Member that I will, if necessary, bring in a Supplementary Minute for remedying that matter.

#### RAILWAY RATES AND CHARGES.

##### APPOINTMENT OF SELECT COMMITTEE.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the manner in which the Railway Companies have exercised the powers conferred upon them by the Railway Rates and Charges Order Confirmation Acts, 1891 and 1892, and to consider whether it is desirable to adopt any other than the existing means of settling differences arising between the Companies and the public with respect to the rates and conditions of charge for the conveyance of goods, and to report what means they recommend. That the Committee do consist of Nineteen Members."—(*Mr. Mundella.*)

*Mr. Parker Smith*

SIR M. HICKS BEACH (Bristol, W.) : I understand that not only will the Reference be agreed to, but also the names of the Committee on the Paper.

Question put, and agreed to.

Motion made, and Question proposed,

"That Sir Michael Hicks Beach, Mr. Burnie, Mr. John Ellis, Mr. Field, Sir Julian Goldsmid, Mr. Hanbury, Mr. Hickman, Mr. Hunter, Mr. Jacks, Mr. Jackson, Mr. Patrick M'Hugh, Mr. Mitford, Mr. Mount, Sir Joseph Pease, Mr. David Plunket, Sir Albert Rollit, Sir Bernhard Samuelson, Mr. Shaw Lefevre, and Sir James Whitehead be Members of the Committee :

That the Committee have power to send for persons, papers, and records :

That Five be the quorum."—(*Mr. Mundella.*)

MR. HUNTER objected. He said objection had previously been taken to the proposed Committee of 17, on the ground that out of the 17 four were Railway Directors, while the Railway Directors, in proportion to their number in the House, were entitled only to one out of 15. A meeting was held, at which, in order to get over this difficulty, it was decided that one Scotch Agricultural Member and one English Agricultural Member should be added to the Committee. But instead of an English Agricultural Member another Railway Director was put on the Committee, so that there were five Railway Directors on the Committee, a proceeding which he thought was most unfair.

SIR M. HICKS BEACH : I must protest against the action of the hon. Member. I rose when the Reference was put to the House, and said that I understood that not only was the Reference to be agreed to, but also the names, as if the names were not agreed to I intended to object to the Reference being adopted, and the hon. Member made no sign. The hon. Member representing the English agricultural interest, to whom the hon. Gentleman has described as a Railway Director, is a Director of a small line which is worked by a large Railway Company, which starves it for the benefit of its own undertaking. He surely cannot be said to be a Railway Director in the sense intended by the hon. Gentleman ?

MR. MUNDELLA : I ask my hon. Friend to allow the Committee to go.

There is agreement between us on the subject.

MR. HUNTER said, that after the statement made by the right hon. Gentleman the Member for Bristol he would withdraw his opposition.

MR. DUNBAR BARTON (Armagh, Mid) said, the Ulster Unionists, who it could not be denied represented the commerce of Ireland, had reason to complain that they had no representative on the Committee.

MR. DANE (Fermanagh, N.) also considered that the Ulster Members, who were largely interested in railway rates, should be represented on the Committee.

MR. MUNDELLA: The Ulster Members, if they have any cause of complaint, must complain of their own friends, for no Ulster Member was nominated.

SIR JAMES WHITEHEAD (Leicester) said, a strong feeling prevailed that the railway interest was unduly represented on the Committee, and that there was not an adequate representation of the agricultural interest. But he would accept the Committee, in the hope that some good would come of it for the benefit of trade and agriculture.

Question put, and agreed to.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 11) BILL.

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the urban sanitary districts of Bury, Chard (two), Chorley (two), Darwen, and Leicester, and to the Port of Liverpool, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 360.]

#### JUSTICES OF THE PEACE (NO. 3) BILL.

On Motion of Mr. Luttrell, Bill to amend the Law in regard to the Appointment, Qualification, and Removal of Justices of the Peace, ordered to be brought in by Mr. Luttrell, Mr. Bernard Coleridge, Mr. Cremer, Mr. Hugh Hoare, Mr. Howell, Mr. Lambert, Mr. Owen, and Mr. Arthur Williams.

Bill presented, and read first time. [Bill 361.]

VOL. XII. [FOURTH SERIES.]

#### MESSAGE FROM THE LORDS.

That they have agreed to—Electric Lighting Provisional Orders (No. 2) Bill; Pilotage Provisional Orders Bill; Military Lands (Provisional Orders) Bill; Day Industrial Schools (Scotland) Bill; Law of Distress (Ireland) Bill, with Amendments.

That they have passed a Bill, intituled "An Act to explain 'The Rivers Pollution Prevention Act, 1876.'" [Rivers Pollution Prevention Bill.] [Lords.]

#### ORDERS OF THE DAY.

#### WEIGHTS AND MEASURES BILL.

(No. 163.)

#### COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Clause 1.

On the Motion of Mr. HENRY HOBBHOUSE, the following Amendment was made:—In page 1, line 7, leave out "are the," and insert "were, on the first day of January one thousand eight hundred and ninety-three, the legally constituted."

On the Motion of Sir MATTHEW WHITE RIDLEY, the following Amendment was made:—In page 1, line 8, after "1892," insert "or for the execution of the Law relating to weights and measures under any local Act."

On the Motion of Mr. SNAPE, the following Amendment was made:—

In page 1, line 14, after "time being," insert, "Provided that when the amount received by a county council from the execution of those Acts is in excess of the expenditure thereupon, a proportionate part of such excess amount shall be deducted from any sum due to such borough as a recoupment under the Contagious Diseases (Animals) Acts, or the Sale of Food and Drugs Acts respectively."

Bill reported; as amended, to be considered To-morrow.

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HOUSING OF THE WORKING CLASSES  
(EDINBURGH) PROVISIONAL ORDER  
BILL.—(No. 347.)

Read a second time, and committed.

LOCAL GOVERNMENT (IRELAND)  
PROVISIONAL ORDER (No. 4) BILL.  
(No. 345.)

Read a second time, and committed.

LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 10.) BILL.—(No. 340.)

Read a second time, and committed.

PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 3) BILL.—(No. 342.)

Read a second time, and committed.

RAILWAY RATES AND CHARGES PRO-  
VISIONAL ORDER [CRANBROOK AND  
PADDOCK WOOD RAILWAY, &c.] BILL.  
(No. 330.)

Read a second time, and committed.

ELECTRIC LIGHTING PROVISIONAL  
ORDERS (No. 3) BILL.—(No. 318.)

Reported, with Amendments [Provi-  
sional Orders confirmed]; as amended,  
to be considered To-morrow.

COMMONS REGULATION PROVISIONAL  
ORDER [WEST TILBURY] BILL.—(No.  
323.)

Reported, without Amendment [Pro-  
visional Order confirmed]; to be read  
the third time To-morrow.

MUNICIPAL CORPORATIONS ACT (1882)  
AMENDMENT BILL.—(No. 159.)

Lords Amendments to be considered  
forthwith; considered, and agreed to.

PRISON (OFFICERS' SUPERANNUATION)  
BILL.—(No. 325.)

Order for Second Reading read, and  
discharged.

Bill withdrawn.

PRISON (OFFICERS' SUPERANNUATION)  
(No. 2) BILL.—(No. 359.)

Read a second time, and committed  
for To-morrow.

PUBLIC LIBRARIES (IRELAND) ACTS  
AMENDMENT BILL.—(No. 242.)

Read a second time, and committed  
for To-morrow.

CANAL RATES, TOLLS, AND CHARGES  
PROVISIONAL ORDER BILLS.

SIR JOHN MOWBRAY reported from  
the Committee of Selection: That they  
had nominated the following five Mem-  
bers to serve on the Joint Committee of  
Lords and Commons on the Canal Rates,  
Tolls, and Charges Provisional Order  
Bills:—Mr. Brunner, Mr. Coltery, Mr.  
Hanbury, Mr. Hunter, and Sir Stafford  
Northcote.

Report to lie upon the Table.

House adjourned at twenty minutes  
after Two o'clock.

## HOUSE OF COMMONS,

*Wednesday, 17th May 1893.*

## PRIVATE BUSINESS.

WATER PROVISIONAL ORDERS (No. 2)  
BILL.—(No. 338.)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,  
“That the Bill be now read a second time.”

MR. F. EDWARDS (Radnorshire) moved that the Bill be read a second time that day six months. He should like to bring before the notice of the House two or three facts concerning this matter. The Provisional Order Bill contained two or three Water Bills—one promoted from Llandrindod Wells. The Llandrindod Local Board objected to the Order on the ground that it contained a monopoly injurious to the town, and the Board petitioned against the Order; and the only result of the Petition was a reduction of the proposed addition to the capital of one-half the amount asked for. That was a very unsatisfactory result, because they contended that the new capital was not necessary, and that if it was sanctioned it would only increase the difficulty of dealing with the Company in the future. The usual method of opposing Bills of this kind, he knew, was to oppose them in Committee. But he thought he was justified in following this course, for the reason that the Bill would be sent to a Committee in order that it should be modified; but the ground taken by the Local Board of Llandrindod Wells was that no modification of the Provisional Order could make it acceptable to the inhabitants at all. They objected to the Bill *in toto*; and they, therefore, thought it a waste of the ratepayers' money to oppose the Bill in Committee. The Board did not merely oppose the Order in order that nothing might be done, because they were prepared, if the Order were thrown out, to supply the town with a sufficient supply of pure water. They had within their power a

supply better than that in the control of the present Water Company. Therefore, by throwing out the Order, the House would not be doing any injury to the town. In 1884 the Company obtained power to supply Llandrindod Wells with water; but in 1889 they obtained a Provisional Order to increase the amount of capital. He was informed by the authorities that the Company had not yet completed their main undertaking. The reasons why the Board opposed the Order were two. In the first place, the water at present supplied was deficient in quantity. It was a serious charge to make against a Company, which had been in possession of the ground for more than nine years, but it was fully warranted. In 1889 Dr. Spear, a Medical Inspector of the Local Government Board, reported that—

“The water supply was in the hands of a private Company, which Company was evidently not satisfying the legitimate requirements of the district. In times of drought the amount of water consumed was not sufficient to afford a constant service.”

This was a very serious charge for a representative of the Local Government Board to make, and it was the more serious when they considered that another Department of the Government—the Board of Trade—were issuing a Provisional Order to the Water Company of Llandrindod when the Local Government Board had practically said that that body was not doing its duty as required by the Act. The Secretary to the Local Government Board was almost daily receiving complaints of the inefficiency of the supply; and he (Mr. Edwards) frequently received letters showing that the people were very much dissatisfied with the present system. In the second place, the Board complained that the water supply was defective in quality. The Company got part of their water from springs; but in the summer time, when the population of the town was considerably enlarged, they had recourse to the river which ran through the town. This river was not a fit source of supply, for there were on its banks many villages and farmhouses emptying their sewage into it. This statement was borne out by the Report of Dr. Spear, in which the following passage occurred:—

“I am informed on reliable authority that the Company proposes to supplement the present inadequate supply by pumping water

from a stream that flows near Llandrindod Wells, and that receives a considerable amount of sewage from hamlets and individual houses above the proposed pumping station. Such an arrangement must be regarded as most unsatisfactory, the amount of filtration which such a water is likely to undergo is not to be relied upon to remove dangerous impurity."

The water supply was not only insufficient, but grossly defective in quality, and the filtration system was deficient. The Company, however, which had a monopoly in the town, charged twice as much for the supply as was the case in the neighbouring town. The Local Board was of opinion that this was simply a speculative undertaking, and to sanction it must entail further burdens on the ratepayers. Although the scheme had been completed six years ago, no arrangement had been made for the flushing of sewers, which was a matter of great importance to health. The Local Board consisted of nine persons elected by the ratepayers, representing themselves one-sixth of the rateable valuation of the place. If this Board was given a voice in the work of supplying water to the people they would push it forward adequately. They are the proper authority to be considered in the matter. He begged to move the Amendment standing in his name.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Edwards.*)

Question proposed, "That the word 'now' stand part of the Question."

\*THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (*Mr. Burt, Morpeth*) said, the Bill scheduled, and was to confirm, three Provisional Orders relating to water undertakings—the first in Llandrindod Wells, the second at Maidenhead, and the third at Newington, near Hull. The hon. Member who had just spoken forwarded to the Board of Trade a letter which he had received from the Local Board of Llandrindod Wells, asking him to oppose the confirmation of the Order, and the Department furnished the hon. Member with a complete reply, stating the reasons which induced them to grant the Order, for which the hon. Gentleman expressed his thanks. The opposition to the Bill was, no doubt, entirely due to the Llandrindod Order, as the other

two Orders were consented to by the Local Authorities. The Llandrindod Order was simply for power to raise additional capital; and, that being so, the consent of the Local Authority was not required, either by the Gas and Water Works Facilities Act (1870) or the Rules of the Board of Trade. The facts of the case, as communicated to the hon. Member in the letter to which he (*Mr. Burt*) had referred, were these—the original draft Order deposited by the promoters of the Llandrindod Wells Water Company—which is a company incorporated by special Act of Parliament—was to authorise the Company to raise additional capital amounting to £2,000 by shares and £500 by loan, for the purpose of paying off certain debts incurred on capital account and meeting the cost of extending mains within the authorised limits of supply. The Board of Trade received in due course a statement of objections from the Local Board of Llandrindod Wells, containing allegations with respect to the quality of the water supplied by the Company; but the Department did not at any time receive from the Local Board any definite proposal for the amendment of the Order. The reply of the Water Company to the objections of the Local Board stated that their supply was drawn partly from springs and partly by pumping from the River Ithon; and it was against the latter source that the complaint of the Local Authority was directed. The Water Company put in a Report by *Mr. Blunt*, County Analyst for Shropshire and Staffordshire, on the river water, after filtration, but before its admixture with the spring water. The analyst gave his opinion as follows:—

"This sample has the character of a good upland water, slightly peaty, but quite free from deleterious organic matters. It is soft and well adapted for general domestic use; and it might be pronounced an excellent water."

The Water Company's reply also included this statement, which was not controverted in the rejoinder of the Local Board—

"Not a single definite complaint has been made to the Company since the construction of the new works, saving a letter from the Clerk to the Local Board, forwarding two anonymous communications complaining of the water. He was asked, in reply, to state the names of the complainants, in order that the matter might be investigated; but he declined to furnish information."

*Mr. F. Edwards*

In view of the result of the only analysis of the water which was submitted to the Board of Trade, and for other reasons, the Board did not consider they would be justified in refusing the Order and leaving the Company without capital to meet the requirements of the undertaking, which might include the cost of measures to improve their water supply. Bearing in mind, however, that the question of purchasing the Company's undertaking had been mentioned by the Local Authority, the Board of Trade reduced the proposed capital to a sum of £1,000 by shares and £250 by loan, and, at the same time, reduced the maximum dividend payable on such dividend by 1 per cent. on what had previously been authorised. As well as impugning the quality of the water, the Local Board alleged that the pumping from the river was illegal. These questions were not affected by the granting of the Order, and the remedy provided by law was just as available to the Local Board as if the Order had been refused. But what would probably be deemed a conclusive reason against the Motion to reject the Bill was this—that it would be contrary to precedent, and would involve the sacrifice of the two other Orders which were scheduled to the same Bill. If the Second Reading were passed, the Local Board could petition against the Order; and as their *locus standi* would probably be allowed, it would then be referred to a Select Committee, which would receive evidence, and decide the matter accordingly. The Local Board had told the hon. Member that they were not disposed to petition for fear of causing expense to the ratepayers. He would like to add that since the Order was granted the Board of Trade had received from the Local Board copies of some letters, purporting to come from residents, complaining, not of impurity, but of shortness of supply. This seemed to be a matter eminently requiring further capital to rectify. He hoped the hon. Member would not press his Motion, but would accept the suggestion which he (Mr. Burt) had made, and allow the Bill to pass.

MR. LLOYD-GEORGE (Carnarvon, &c.) said, the official analyst of the Local Government Board had reported against the quality of the water; there was

another source of supply in the district which was much better which would yield 200,000 gallons daily. The quality of the water was much purer in the latter source, while the supply would be under the control of the Local Board. As to the question of petitioning, to do that would be to entail a large expense on a population which was very thin and could not bear such heavy burdens. He had experience of a small place petitioning before a Committee of that House and of the heavy additional burden that resulted, and he was of opinion that the hon. Member who moved the rejection of the Bill had exercised a wise discretion in coming before the House to ventilate the grievance of which he had to complain. He hoped the House would reject the scheme.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) said, he hoped the opposition to the Bill would not be persisted in. It was impossible for the House to deal with the question of this local water supply. A Petition to the Committee would be properly considered, and it was not right that the time of the House should be taken up in considering whether this or that source of supply was the better one. It was purely a local question, and he trusted the discussion would not go further, and that the Amendment would be withdrawn.

MAJOR E. R. JONES (Carmarthen, &c.) said, they had had great experience of the right hon. Gentleman's advice in local matters; but he trusted the House of Commons would, at all events, go so far in the direction of Home Rule as to allow this locality to have its own representative Board to manage its affairs in the matter of water supply. He would appeal to hon. Members opposite (the Irish Members) to go into the Division Lobby with his hon. Friend and himself on this occasion. The water supplied in this place was shown by the Reports to be very bad water; and it should depend on the people themselves to say whether they were willing to pay for water that would injure the community, or whether they would prefer to have a fresh supply. It was a very important fact that the Local Board could get a pure and adequate supply from one of the mountains in the neighbourhood. He hoped the Bill would be rejected.

Question put.

The House divided:—Ayes 156;  
Noes 114.—(Division List, No. 91.)

Main Question put, and agreed to.

Bill read a second time, and committed.

## QUESTIONS.

### THE VOTE ON ACCOUNT.

MR. GOSCHEN (St. George's, Hanover Square): I desire to ask the First Lord of the Treasury if the Vote on Account can be laid on the Table to-morrow, in order that sufficient time may be given to hon. Members for placing Amendments on the Paper, and also whether it is finally settled that the Vote will be taken on the first day after Whitsuntide?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): It will be desirable, if not necessary, that the Vote should be taken on Monday week; and, therefore, that arrangement may be considered as final. The suggestion that the Vote should be placed on the Table is very reasonable, and I will communicate with the Secretary to the Treasury with a view to giving effect to it.

MR. STUART-WORTLEY (Sheffield, Hallam): Will the Vote on Account be the first Order?

MR. W. E. GLADSTONE: Supply will be the first Order, and the Vote on Account will be the first item in Supply.

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress 16th May.*]

[EIGHTH NIGHT.]

Considered in Committee.

(In the Committee.)

### Legislative Authority.

Clause 2 (Powers of Irish Legislature.)

Question proposed, "That Clause 2 as amended, stand part of the Bill."

\*MR. BARTLEY (Islington, N.) said, he opposed the adding of this clause to the Bill. It was a clause of the most important nature. It stated that—

"With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof."

On the previous day the Opposition succeeded in adding the following important words to the clause:—

"Provided that, notwithstanding anything in this Act contained, the supreme power and authority of the Parliament of the United Kingdom of Great Britain and Ireland shall remain unaffected and undiminished over all persons, matters, and things within the Queen's dominions."

He admitted that the views of the Opposition had to some extent been met by the tardy acceptance by the Government of the Amendment of the right hon. and learned Gentleman the Member for Bury. They had all along held that this proposed Irish Parliament must be an absolutely subservient and subordinate Parliament; and, though he regretted that the words which they had added to the clause were not inserted in the first instance, still he should acknowledge that the Amendment had done something, though little, to meet the requirements of their position. But the clause, without doubt, effected a new departure in the history of Parliament, and the Opposition must divide against it. The clause handed over to the Irish Legislature which they had created by Clause 1 the power to make laws. Since the commencement of the century it had never been contemplated as possible that there should be a rival authority to Parliament within the United Kingdom making laws for the United Kingdom. But the clause did more than that. It enabled this new Legislature to make laws without the consent of this Parliament, subject to certain restrictions contained in Clauses 3 and 4, and with the only condition that the laws so made should relate to Ireland or any part of Ireland. There could be no question that this clause was really and truly the first step towards the independence of Ireland. The 1st clause merely created an Assembly or Council in Ireland, and it entirely depended on what the 2nd clause contained whether the Legislature was dangerous or not. The Opposition had tried to make this Council and Assembly a sort of dignified County Council. They had tried to limit the powers of the Irish Legislature

to those gas and water measures of which they heard so much at the General Election. London, which was as populous, as important, and as well-educated as Ireland, and possessed as many commercial, political, and social interests, was content with a County Council. Indeed, some of them were more than content with the London County Council. If the clause had been so modified as to give to the Irish Legislature the powers of a large County Council many of them would not have objected to it. But it empowered a rival authority to the Imperial Parliament to make laws for the peace, order, and good government of Ireland, which was, without doubt, a grave and serious step towards the separation of the two islands, and to that they could never agree. Let them consider before they parted with the clause what were the tremendous powers which it gave to the proposed Irish Legislature. It was a very remarkable thing that, though it only took one line of the Bill to confer these great powers, it took many pages—and this showed what little confidence the Government had in the Body they were creating—to set out the limitations, restrictions, and safeguards. But the great fact remained that the clause gave powers to the Irish Legislature to make laws for the peace, order, and good government of Ireland. When they looked back on the history of the last 10 years, it seemed almost a comedy that they should hand over to Nationalist gentlemen the power of making laws for the peace of Ireland. He could refer to any number of incidents that had occurred during that period. In 1886 the hon. Member for East Mayo, who would, of course, be a most influential Member of this proposed Irish Legislature, said, speaking at Castlereagh—

“I want to say a word of warning to the bailiffs and all that class of people. . . . I tell these people that the hour is at hand, and very close at hand too, when the police will be our servants, when the police will be taking their pay from Mr. Parnell, when he will be Prime Minister of Ireland; and I warn the men to-day who take their stand by the side of landlordism, and signalise them as the enemies of the people, that in the time of our power we will remember them.”

That quotation gave an idea of how peace and order would be maintained in Ireland under the proposed Legislature. Mr. Davitt, speaking in June, 1887, said—

“If you could see that as I see it, oh! you would not measure your words, but you would wish from the bottom of your heart we had then in our hands the weapons which England placed in the hands of her armed mercenaries, and we would have taught these ruffians that the people in Ireland in the year 1887 had not lost the courage or the spirit of their ancestors.”

The hon. and learned Member for North Louth, speaking on Sunday—a day above all others for peace—3rd February, 1889, in the Phoenix Park, said—

“That, instead of speaking to-day, he wished that he could leave them as armed men to clear out the entire gang of lily-souled assassins.”

That was an allusion to the public officials. And it was to those gentlemen that the clause proposed to give power to make laws for the peace, order, and good government of Ireland. He ventured, therefore, to think that, even at that late moment, those who were really in earnest in promoting the welfare of Ireland would hesitate to carry out that clause. The word “peace” ought to be withdrawn altogether from the clause, and the control of the Constabulary and the maintenance of peace reserved to the Imperial Parliament. He had wished to move an Amendment to that effect, but unfortunately, under the ruling of the Chair, the words “peace, order, and good government” were taken together, and he was thereby prevented from doing it. Surely it was of the greatest importance to prevent anything being done by the Irish Legislature which would probably lead to a breach of the peace amongst the Irish people. War was a very serious and sad thing, but the worst form of war was civil war, and it might be that civil war in Ireland would unhappily be the consequence of this Bill should it become law. Therefore he urged that even now some means should be taken to protect the loyal minority in Ireland, by placing the preservation of peace in Ireland in the hands of the Imperial Parliament. It might be said that this clause could only affect the peace of Ireland or parts of Ireland, but the peace of Ireland was of the first importance to England, for it closely affected the prosperity of England. Disturbances in Ireland would affect enormously England’s prosperity, finance, and her power as a nation. If they were going to allow a system which in his judgment would tend to promote disturbance and civil war in the sister island which lay so close to them, was it not



certain that the power of England, Scotland, and Wales would be frittered away? Therefore he contended that this matter concerned them infinitely more than people seemed to think. They were parting with their power, but they could not part with their moral responsibility for maintaining peace in Ireland. But the words in the clause "for the peace, order and good government of Ireland" were wider than this even. An attempt had been made to define in clear and distinct terms what this proposed Legislature might undertake. But that Amendment was rejected, and, with certain vague and undefined exceptions, everything else might be carried on by this Irish Legislature. In fact, the Imperial Parliament was in the position of a residuary legatee—it reserved only what could not be dispensed with, and handed over everything else to the proposed Irish Government. That was a very serious matter. The clause handed over to the Irish Legislature every conceivable power and every conceivable authority that might arise, except what was specially taken out of its purview by Clauses 3 and 4. The so-called safeguards were practically no safeguards at all, and some of them were so derogatory to an Irish Legislature or even to a County Council in England that they must all know that there would be an agitation set up to do away with them. They were passing this revolutionary clause, which would change the whole system of their Government, by the small majority of 40 or 42, and it was a startling thing when they looked at it that if 23 seats were changed this Bill could not pass into law. The Conservatives were resolutely opposed to it; the old Liberals—it was absurd to call them Dissident Liberals—did not want it; and some of those who sat behind the Prime Minister had no love for it; but he supposed they would follow the Prime Minister in his dismemberment of the Empire. The fact was that the 80 Irish Members had said to the right hon. Gentleman—"You must do this; you must not do that. You must accept this clause and you must accept the other clause, or we will turn you out." One would have thought that the Prime Minister at his time of life, rather than be dictated to in this way to pass a measure which would revolutionise

*Mr. Bartley*

the country, would prefer to be turned out 20 times than to surrender so abjectly to those whom a few short years ago he put into prison. But the right hon. Gentleman had come to-day in this clause to propose to hand over the power of making laws for the peace, order, and good government of Ireland, and to hand over their loyal Irish friends and brothers, who had done so much to build up the Empire, and who had stood by them in all their troubles, to men whom he had described a few years ago as steeped to the lips in treason.

MR. W. E. GLADSTONE: I never used such words.

SIR J. GORST (Cambridge University): The Irish Attorney General used them.

\*MR. BARTLEY: It certainly was some Member of the right hon. Gentleman's Government.

MR. T. W. RUSSELL (Tyroue, S.): The words were used by Mr. Johnson, now Mr. Justice Johnson, and formerly Irish Attorney General.

\*MR. BARTLEY regretted that he had made a mistake and attributed the words to the right hon. Gentleman. He regarded this as a vital clause, which would inflict great injustice on the Loyalists of Ireland, those men who had always stood by them and assisted them in their wars and upheld the might of England in every part of the world. He begged to move the omission of the clause.

THE CHAIRMAN: No such Motion can be made.

MR. PARKER SMITH (Lanarkshire, Partick) said, that under this clause arose the question of the powers that were to be given to the Irish Legislature. That was a matter that had formed a great part of the arguments of the Prime Minister in all his speeches. The right hon. Gentleman had always laid stress on the supreme importance of giving wide powers to the Irish Legislature. The historical arguments of the right hon. Gentleman were based on the fact that a Parliament had existed in Ireland, and that Grattan's Parliament, during the limited number of years of its existence, possessed very full and wide powers. Legislatures had, not only in this country but in all other countries, been considered the panacea, he might almost say,

for all the evils to which States were subject. The right hon. Gentleman brought forward various instances from abroad, laid down various propositions on this matter, and challenged denial as to foreign experience, and in all his speeches he had drawn out the historical argument to an extent that no one else either in or out of the House had pressed it or attached importance to it. In the speeches the right hon. Gentleman delivered in this year it was satisfactory to see he had abandoned the language which marked his utterances a few years ago. Then the right hon. Gentleman said—

"You had a horrible and shameful history." "Foulest and most monstrous corruption joined with the grossest intimidation." "Wanton, wicked, black, foul, base, vile, shameful blackguardism."

MR. W. E. GLADSTONE: Blackguardism?

MR. PARKER SMITH said, that was contained in a private letter, not intended for publication, but the other epithets came out of the right hon. Gentleman's speeches on the subject. Those were the words of the right hon. Gentleman six years ago, but he had not used that tone in his recent speeches. He (Mr. Parker Smith) did not know whether it was in deference to one of his Colleagues, Lord Rosebery, who, in that admirable life of Mr. Pitt that he brought out, openly repudiated the words the right hon. Gentleman the Prime Minister then used. Both in the speech in which he introduced the Bill and his speech on the Second Reading, he enlarged upon this historical aspect of the question, and in his many speeches in supporting that he had made it a matter of serious reproach to his opponents in debate that they had not substantially met the points on this subject which he had put forth. The hon. Gentleman the Member for Mid Armagh (Mr. Dunbar Barton) was the only one who met the right hon. Gentleman on the spot. Most hon. Members considered, whatever the truth or falsity of the statements might be, they were not really relevant to the merits of the question; but when the right hon. Gentleman stated propositions, attaching importance to them, he (Mr. Parker Smith) thought it was worth while to look into the correctness of what the right hon. Gentleman had so stated.

In his Second Reading speech the right hon. Gentleman put forward a set of "propositions for confutation, if they can be confuted; if not, for mature and deep consideration." There were four propositions, and of these he (Mr. Parker Smith) took the first—

"There is in the civilised world—I do not go beyond the limits of Europe and America—no incorporating Union effected and maintained by force against either Party that has ever prospered."

The right hon. Gentleman the late President of the Board of Trade (Sir M. Hicks-Beach) interrupted, "The United States." The right hon. Gentleman the Prime Minister, continuing, said—

"I said no incorporating Union.. An incorporating Union means that which suppresses the Legislatures of the independent parts."

Now, there was one example of such an incorporating Union, according to the right hon. Gentleman's own definition, which had been so complete a success that it would stand notice in these Debates, an example of tyranny with which the Union in Ireland was compared—a Union that produced greater crime than anything done in Ireland, and that was the case of France. They had the Irish Rebellion, and against that they could set—

\*THE CHAIRMAN: I must remind the hon. Member that the only question before the Committee is that Clause 2 stand part of the Bill. The hon. Member must speak to the clause; it is not in Order to make Second Reading Speeches.

MR. PARKER SMITH, on the point of Order, submitted that the right hon. Gentleman in his speeches had laid great stress upon the extent of the powers of Legislatures, and he would like to ask whether on this clause, which was the clause that gave powers of legislation, they were precluded from referring to it.

THE CHAIRMAN: It is perfectly in order to discuss the powers given by Clause 2; but I must remind the hon. Member the only question before the Committee is that the Clause, as amended, stand part of the Bill.

MR. PARKER SMITH would merely state what he was prepared to prove in more detail, that a precedent in which there had been an incorporated Union—*[Cries of "Question!"]* He merely

stated what, but for the Chairman's ruling he should have been——

**THE CHAIRMAN :** The hon. Member is out of Order, and he must confine himself to what I have already pointed out it is legitimate to discuss—namely, the powers proposed to be conferred by Clause 2.

**MR. PARKER SMITH** said, that, in conformity with the Chairman's ruling, he would go on to another part of what he desired to discuss, and that he would state in this way. The right hon. Gentleman had again and again put forward the case of Grattan's Parliament, and the history of Ireland under Grattan's Parliament, as being a very strong proof in favour of the present Bill. The right hon. Gentleman had not put forward the mere fact of the Legislature in Ireland, but put forward the extended powers of the Legislature during the period from 1782 onwards. He (Mr. Parker Smith) submitted the argument the right hon. Gentleman based on that, the argument that powers given to the Legislature in Ireland reduced the great burdens of Ireland during those years, was a fallacious argument, and one on which no stress could be laid with respect to the present clause, which gave very large and extended powers to the Irish Legislature. He should be in Order in following out that line of argument. The right hon. Gentleman had again and again quoted as the golden age of Ireland the period from 1782 to 1795, and had stated that the prosperity of Ireland during that period was caused by Grattan's Parliament, and broken in upon by the malice of the English Government in destroying Grattan's Parliament, and causing the Union. To show the advantage of the Legislature created in Ireland, the right hon. Gentleman said—

"During these years there was a perfect union of hearts between the Irish Protestants and the Irish Roman Catholics, and there was a perfect harmony of sentiment between England and Ireland from 1782 to the year 1795. This is no dream. It has happened before, why should it not happen again? Gifted with the power of self-government, why should they not exhibit on the one hand that strong paternal concord among themselves, and on the other hand the harmonious sentiment towards England which characterised the period I have named."

The argument was that self-government, that the power of self-government, produced by these causes the great result of

*Mr. Parker Smith*

"a perfect union of hearts" and increased prosperity. It was perfectly true that in Ireland there was very great prosperity during the period from 1780 on to about 1792; but it was neither coincident with the time of Grattan's Parliament, nor was it caused by it; it began before Grattan's Parliament came into existence, and ended before Grattan's Parliament ceased. It was not caused by the action of Grattan's Parliament, except so far it was probably stimulated by the scrambling Committee that gave bounties to the industries of Ireland. The real fact was that the commercial restrictions—which were the greatest stain on the policy of this country towards Ireland—were removed in 1780, and it was their removal that did more for the prosperity of the country than anything else. During those years, from 1783 to 1793, they had peace and prosperity in the country; those were the golden years to which men had always looked back. Ireland and England both flourished; but by the end of that time, and long before any of the present disturbance——

**MR. LOGAN** (Leicester, Harborough): I rise to a point of Order, Sir. It has been decided that a Legislature is to be granted, and I ask is the hon. Gentleman in Order now in discussing simply whether there shall be a Legislature, and giving as a reason the many defects of a former Legislature?

**MR. HENEAGE** (Great Grimsby): I would ask whether my hon. Friend is not in Order in referring to the power of making laws that is given under this clause?

**THE CHAIRMAN :** It was not easy to make out, but I understood he was using that as a sort of illustration. I must again remind the hon. Member of what the question is before the Committee. A Legislature is established by the 1st clause, and the question is as to what powers are to be granted by this clause.

**Mr. Burnie** (Swansea Town) rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

**MR. JESSE COLLINGS** (Birmingham, Bordesley): On a point of Order,

Sir, the hon. Member is making a moderate speech, which you yourself ruled—

THE CHAIRMAN: I have already explained to the hon. Member what my view of the clause is, and ruled accordingly, and I have no doubt the hon. Member will now confine himself to the question before the Committee.

MR. PARKER SMITH claimed that on those terms he was clearly in Order in dealing with the point he was desiring to argue, and he thought the Chairman did not need the assistance of the very large number of amateur Chairmen there were in the House. It appeared to him that in considering the question of extending great powers to this Parliament in Ireland, it was necessary to see how it had succeeded in previous years. The question of the clause was not the establishment of a Legislature—that had been passed already, but the question was how the great powers proposed to be conferred were to be given to the Legislature after the Legislature had been established. The right hon. Gentleman, and a good many other hon. Members, had laid great stress upon the policy and action of the Parliament that was established in Ireland with very considerable powers, and it seemed to him he was entitled to look into those statements, and do his best to show that that argument was of no value in reference to the present Bill. In his speech the right hon. Gentleman said that, accompanied with the power of self-government, there was no reason why Ireland should not exhibit, on the one hand, that harmony of sentiment with England, and on the other that there should be union of hearts. That immense sentiment in England which the right hon. Gentleman chose as subject of eulogy was one that would not be found to have existed during that period of union of hearts of Catholics and Protestants which he stated as the result of the policy he wished to adopt. It had already been pointed out there were two serious differences between the two over the question of commercial prosperity and the question of the Regency. The right hon. Gentleman replied—

“There were quarrels between Parliaments. I was speaking of peoples—besides, the English Parliament was wrong.”

That was not the judgment of historians, and it was not the judgment of Lord Rosebery, that it was the British Parliament that was wrong on these questions. And, in particular as to the commercial question, it was not a question between Parliament and Parliament, it was, if ever anything was, a question between peoples and peoples. The original propositions of Mr. Pitt were generally accepted by the Irish Parliament. With his command of a large and unquestioned majority—a majority in all Imperial affairs beyond and far larger numerically than the right hon. Gentleman had—Mr. Pitt thought there was no doubt he would be able to carry those provisions through the British Parliament. But what happened? It was outside agitation that made itself felt and prevented that commercial policy, that everyone was agreed would have been an unmixed and enormous advantage both to this country and to Ireland, coming to maturity. Then there was the other example which the right hon. Gentleman took, the effect of Catholic Emancipation. That surely was not a case in which the peoples were united, that was not the case where the peoples desired Emancipation. They knew of the Gordon Riots—

MR. LOGAN: On a point of Order, Sir—[*Cries of “Order!”*] I cannot remain silent—[*Cries of “Order!”*] When hon. Gentlemen have quite done I will venture to address you, Sir. I wish to ask whether the hon. Gentleman is now in Order in referring to Catholic Emancipation and Mr. Pitt's opinion?

THE CHAIRMAN: I cannot say at the present moment I see the object of this reference to Catholic Emancipation.

MR. PARKER SMITH was very sorry that his argument had not made itself clear, but he was endeavouring to make it clear to the Committee, and it was this. The right hon. Gentleman had stated that it was one of the great advantages of his policy that it would bring about harmony and unity between this country and Ireland, and stated that it had produced that effect before. The right hon. Gentleman stated that during the time there was a Parliament with the kind of wide legislation this clause was seeking to confer on the Parliament he was seeking to establish in Dublin, that during that time there was harmony between the people, and in particular there was

harmony between Catholics and Protestants. If that statement were true he thought it would be a valuable basis for the argument. If it was true that owing to Grattan's Parliament they had harmony between England and Ireland, and Catholics and Protestants, then it would undoubtedly be in many minds a strong argument in favour of this Clause 2 and forming a Parliament and Government of the kind of Grattan's Parliament. He was sorry he had been obliged to go over ground which he had hoped he had made clear before. The right hon. Gentleman had said that union between Catholic and Protestant marked this harmonious period in Ireland. But that was not true, the Volunteers, for example, were entirely against Catholic Emancipation, Charlesmont and Foster were against it; it was not until much later and in entirely different circumstances—in fact it was forced through by the English Parliament, as the right hon. Gentleman called it, by the action of the English Government in entire opposition to the national feeling both in England and in Ireland. That statement had been made not only by the right hon. Gentleman, but by the hon. Member for Waterford (Mr. J. E. Redmond), who said in his speech on the Second Reading—

"It had been said that Grattan's Parliament was a failure. He denied it. Grattan's Parliament in 1793 admitted the Catholics to the franchise, to the juries, to the professions, and to the Universities, and it was not till 30 years afterwards that the Imperial Parliament conceded the principle of emancipation."

The fact was, and he could quote plenty of Nationalist authority to prove it, that Catholic Emancipation came, not through Grattan's Parliament but was forced upon Grattan's Parliament and the Irish Government by the action of the English Parliament and Government. Mitchell, the National historian, said—

"That, though the measure came recommended by the example of England and the express wishes of the Administration, it was warmly contested by Parliament at every point."

And Wolfe Tone—

MR. LLOYD-GEORGE (Carnarvon, &c.): I wish to know, Sir, whether it is in Order in discussing the 2nd clause to discuss the proceedings of Grattan's Parliament?

*Mr. Parker Smith*

MR. HENEAGE: May I ask, Sir, whether it is not perfectly in Order to compare another case with the powers proposed to be given to the Irish Parliament?

THE CHAIRMAN: I have already pointed out it is in Order for an hon. Member to refer to the period to which the hon. Member has referred, but I have already pointed out it is distinctly out of Order to make a Second Reading speech, and I must ask him to keep closer to the subject-matter of this clause.

MR. PARKER SMITH said, he would, of course, endeavour to follow the Chairman's ruling, and only say the illustration seemed to him rather a strong argument against the position of the right hon. Gentleman. Wolfe Tone himself, the ablest as he was the bravest of the Irish race, pointed out in the strongest way that the emancipation of the Roman Catholics had been refused by the Irish Parliament; that a deputation of Roman Catholics came over to London; that their petition was accepted by the King and forced by Mr. Pitt upon a reluctant Irish Parliament; and, if necessary, he could quote from the same high authority that it was by the action of Mr. Pitt and Mr. Pitt's Government alone that a conversion, almost unique, was brought on the Irish mind; therefore, it was inaccurate to say that Grattan's Parliament had produced harmony between Roman Catholics and Protestants, and that the measure passed in 1792 was a triumph for Grattan's Parliament instead of being, as it was, a triumph of the enlightenment of the English Government. It was very strange to see now-a-days the enthusiasm for Grattan's Parliament in the minds of a great many hon. Gentlemen who were supporting this Bill. He would like to point out that that had been very far from the opinion of the Nationalist Party in the past, and they could find no stronger abuse of Grattan's Parliament than in the pages of the Nationalist historian, Mr. John Mitchell, who talked of—

"Deluge of scoundrelism," "a shameful Parliament," "solid phalanx of Castle Members, equally insensible to invective, to sarcasm, and to shame."

THE CHAIRMAN: Order, order! I have more than once explained to the hon. Gentleman that he must not refer to this matter any further.

MR. PARKER SMITH would leave that point, merely stating that Grattan's Parliament—[*Cries of "Order!"*] He submitted he was entirely in Order, and he should wait, at any rate, until the Chairman told him he was not. [An hon. MEMBER: He has done so.] He would merely state that Grattan's Parliament, which was a new favourite of the Irish Nationalist Party, was a Parliament—

MR. LOUGH (Islington, W.): I rise to a point of Order. I wish to ask you whether the hon. Member is not now breaking through your ruling, which you have laid down three times, by repeating exactly the sentences for which he was called to Order?

THE CHAIRMAN: I have told the hon. Member what I think about the matter, and I must ask him to attend to my ruling.

MR. PARKER SMITH, resuming, said, that the extent to which entirely inaccurate views of the past had been put forward; the extent to which particular features of the history of the past had been chosen and had been emphasised in support of this policy, would be ludicrous if it were not almost incredible. The Prime Minister at every point, in almost every speech he made, avoiding the more vital points of the subject, went back upon these historical matters, attached large importance to them, and treated the question of history in a manner which was absolutely unscientific; in a manner which reminded him of a keen religious controversialist laying hold of any text which might help his purpose, wrenching it from the context and taking no heed of the general circumstances and the general meaning which surrounded it. There was no fact too large, no social condition of things too important to be overlooked by the right hon. Gentleman in his historical argument. On the other hand, there was no point so small and so insignificant that he was not ready to lay hold of if he could serve his purpose by so doing. That was not the way to use history, if history was to be of any advantage at all in the discussion of these political questions. There were matters in which they must take guidance from what had happened in the past, and in particular in giving these wide and almost *quasi*-independent powers to the Irish Legislature they were bound to

consider the effects that followed when similar powers were possessed and exercised before in Ireland. They ought to remember the condition of things when that previous Parliament came to an end. They were then in a time of great national strain, and as soon as danger came upon them, and they became engaged in a great struggle, the statesmen of this country who had had no prejudice against that Parliament saw how for the national safety it was inevitable that that Parliament should be suppressed and the Union brought about. He believed that if this new Parliament was established, not as a gas-and-water arrangement, but was invested with all the powers proposed, though matters might go on smoothly in time of quiet and prosperity, as soon as a time of real strain and peril came upon them, upon them would also come, if they could not undo what they were doing now, the same risk and danger and the same terrible ruin which threatened England in the last year of the last century.

\*SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) rose to oppose the clause. He opposed it first on a ground which might be described as a sentimental ground. He thought the introduction of the words, "peace, order, and good Government of Ireland" were a novel and most undesirable attempt in the body of a Bill to express a wholly undeserved eulogy upon the character of the Bill itself. He did not remember any instance in the history of legislation in which words similar or analogous to these had been introduced into the body of a Bill. The result of the Bill was far more likely to be the establishment in Ireland of disturbance, disorder, and misgovernment than what these eulogistic words in the Bill foreshadowed. The Committee could not have forgotten the extraordinary scene which took place upon this clause last night. Though there had been moments within the last 10 years when there were more excitement, violence, and recrimination in the House than took place last night, he imagined there had been no more dramatic episode than that which occurred between 6 o'clock and midnight. The Unionist Party had been accused of wasting time in the discussion of this measure; but after shuffling and doubling, and dodging, and resorting to every pos-

sible expedient to avoid any clear expression of the supremacy of the Imperial Parliament, at half-past 11 last night the Prime Minister gave way and accepted words in the operative part of the Bill which affirmed the principle, at all events, of the supremacy of the Imperial Parliament. If the Prime Minister had made that concession on Monday week, he would have saved at least four working days of Parliamentary time. Four days, amounting to at least 30 hours, had been deliberately wasted by the Government because they could not make up their minds to assent to a declaration of Imperial supremacy in the operative part of the Bill. He hoped every Member of the Unionist Party, when that Party was accused of delaying the progress of the Bill, would remember this fact—that four days' debate on the 1st clause would have been entirely avoided if the concession which was made on Tuesday, May 16, at the conclusion of the 2nd clause had been made on Monday week, May 8.

MR. W. E. GLADSTONE: It was made on the Second Reading.

\*SIR E. ASHMEAD-BARTLETT said, now they had the confession from the Prime Minister that he had sat by during those eight days, and had refused to express the intention that he had in his mind, which, if expressed openly and distinctly on May 8th, would have closed the mouths of the Unionists. Why had the Prime Minister been the unwilling slave of the Nationalist Members up to this point? Why had he taken the details of his policy from them? It was because the right hon. Gentleman thought he could rely upon the British majority behind him, but could not rely on the 71 Nationalists in front of him unless he carried out all their dictates. To please them the right hon. Gentleman gave up the financial clauses, he refused to state his views on the retention of the Irish Members, and for eight days he kept silence as to the Imperial supremacy. It was only when two Members (Sir E. J. Reed and Mr. Bolton) on his own side, representing important English constituencies, rose in their places and demanded the insertion of words clearly defining the Imperial supremacy, that he decided to make the concession, which he made tardily, reluctantly, and grudgingly last night. Though those words declared

the principle for which the Unionists had been struggling, yet—as the Leader of the Opposition (Mr. A. J. Balfour) had pointed out—they could not be considered as sufficient to settle in a practical and effective way the question of Imperial supremacy. Those words would undoubtedly be followed by additions to other clauses—

MR. W. E. GLADSTONE: Hear, hear!

\*SIR E. ASHMEAD-BARTLETT said, such additions would have the effect of making the supremacy of the Imperial Parliament not merely a vague and nominal supremacy, but an actual, practical, and effective supremacy. When the Prime Minister made the concession last night, he made it because he could not help making it—because he knew if he had gone to a Division he would have been defeated. That was a reason which no one could appreciate more than the right hon. Gentleman, seeing he had made the capture of votes the study of his lifetime. He would just read to the House the Prime Minister's words. [*Cries of "Order!" and "Chair!"*]

THE CHAIRMAN: The hon. Member is entitled to discuss the clause itself and the words as they are added, but he is not at liberty to discuss the question of how they came to be inserted in it.

\*SIR E. ASHMEAD-BARTLETT said, as he understood the ruling it would preclude him from reading to the House the words used by the right hon. Gentleman in assenting to the Amendment last night.

THE CHAIRMAN: I think that is so. The hon. Member may discuss the clause as a whole.

\*SIR E. ASHMEAD-BARTLETT said, that being so, he could only refer the House generally to those words which were at the conclusion of the Prime Minister's speech last night. With regard to the powers which would be conferred under the clause, frequent attempts had been made by the Prime Minister and his supporters to induce the House and the country to believe that those powers were closely analogous to the powers conferred upon Colonial Legislatures. The Prime Minister had, however, never given a clear statement on this point. He had never admitted to the public that the powers which the Legislatures of the great Colonies

*Sir E. Ashmead-Bartlett*

possessed were infinitely greater and wider than the powers which, according to the Prime Minister, would be conferred on Ireland under this Bill. The right hon. Gentleman tried to induce the Irish Members to believe that their powers would be the same as those of the Colonies.

MR. W. E. GLADSTONE: No.

SIR E. ASHMEAD-BARTLETT said, if that were so, why did the right hon. Gentleman constantly quote in his speeches the condition and Legislatures of the Colonies as an example for the future of Ireland under this Bill?

MR. W. E. GLADSTONE: Subject to restrictions.

\*SIR E. ASHMEAD-BARTLETT said if, when the right hon. Gentleman used his Colonial analogy, he would also set forth the restrictions and the differences between Ireland and the Colonies there would be no complaint. But the right hon. Gentleman in his arguments always assumed that the analogy was a close one, and it was only when he was brought to bay for a definition that he said there were restrictions.

[Here the CHIEF SECRETARY for IRELAND (Mr. John Morley) entered the House, and Mr. GLADSTONE conversed with him in a loud voice.]

\*SIR E. ASHMEAD-BARTLETT, pausing, said, he must beg the pardon of the right hon. Gentleman. He had been speaking for only 14 minutes, and not half-an-hour as he had stated. That was just as close an approach to accuracy as the right hon. Gentleman usually made. The Prime Minister, in his argument, constantly said—"Look at Canada and Australia; they have had for years this self-government which we propose to give to Ireland; under these powers they have enjoyed remarkable prosperity; they are peaceful and loyal;" and then, he argued, why not set up a separate Parliament in Ireland? The right hon. Gentleman on those occasions said nothing about restrictions and differences of geographical and political condition. The ordinary elector, who was misguided by the powerful rhetoric and eloquence of the right hon. Gentleman, and by his great name and position, was often misled by this false analogy. He said that the analogy was, at all events, exceedingly exaggerated and strained,

and that the essential conditions of Ireland and the Colonies were totally different. He would remind the House that when, 100 years ago, Mr. Pitt attempted to settle matters in Canada by giving Canada such a Legislature as they now proposed to give Ireland, it resulted in nothing but disturbance; and a struggle was carried on in Canada against the Imperial Parliament for 50 years, until at last Canada succeeded in wiping out almost every one of the restrictions imposed upon her. If the right hon. Gentleman would tell the country these important facts, the Unionist Party would not complain of his using the argument; but he hoodwinked and blinded the country by setting up to persons who had not the opportunity of historical study these false analogies. The powers given in this clause constituted a totally separate condition of affairs to that which existed in the Colonies. These powers, and the restrictions set up, would be the means of causing dissatisfaction and agitation in Ireland. They would not lead to peace, order, and good government; but they would lead to discontent, disorder, and constantly-increasing demands on the part of Ireland. On the other hand, there was a tremendous and a vital difference between the relations of Ireland to this country and the relations of the Colonies to this country. He was aware that he should not be in Order in pursuing this question in detail. He would only ask the Committee to remember that the Colonies were thousands of miles removed from their shores, and not one of them occupied a position of political or strategical dominance over their interests at home. The loss of a Colony, deeply as it would be deplored by everyone who valued the greatness of the Empire, would not be a fatal blow; whereas the establishment, as might well happen under this Bill, of a separate, a hostile, and an armed power in Ireland, might be the means of dealing a deadly blow at the liberty, commerce, and independence of this country. These facts had been ignored by the Prime Minister. He had already referred to the very remarkable occurrence of last Friday—the protest of two Liberal Members against the failure of the Government to allow Imperial supremacy to be clearly declared in the operative part of the



Bill. That protest had been acted upon, and the result was the insertion of the words which were added last night to the clause. Another remarkable occurrence took place last night. The Irish Members, who had suffered the pains of retention for many days, for the first time broke silence, and expressed in no uncertain way their disapprobation of the proposed introduction of words declaring the supremacy of the Imperial Parliament in the Bill. The House would look forward with interest to what happened in the future with regard to the question of Imperial supremacy. The House would watch the relations of the Government to the Irish Members to see how far Ministers were still under the control of their allies below the Gangway, and how far they might be willing to allow further additions to be made to the Bill which would carry out the desire of many Gladstonians, as well as of all Unionists—a really effective and practical supremacy in the general working of the measure itself should it ever, unfortunately, become law. The object of such additional safeguards in the Bill would be to make the supremacy which the House had in principle affirmed last night.

Mr. Philipps rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

Several MEMBERS rose—

MR. GEORGE WYNDHAM (Dover) said, that the opposition to the clause was not disarmed by the concession which the Government had made on the previous evening. The Government had refused a number of Amendments, the object of which was to make the supremacy effectual, and to make its nature clear alike to the people of England and Ireland. What was the use of the Government allowing this barren triumph, when previously they had refused to accept the word "delegate" in place of the word "grant"? In their speeches throughout the country, however, their talk had been of nothing but delegation. The Government had declined to proceed by way of enumeration instead of by way of restriction in dealing with the powers of the Irish Legislature; and yet the burden of their speeches in the country

was that the Irish Legislature was to have nothing but certain well-defined and limited powers. Why should any undue value be attached to the Amendment which the Government had accepted? If they had been faithless to their pledges in the country, why should they be faithful to the pledge which they had given on the previous evening? What was the concession worth when the Government, in the very act of accepting the Amendment, tried to minimise the importance of the Amendment? The Chief Secretary for Ireland (Mr. J. Morley) declared last night that the rights of the Imperial Parliament were in effect dormant—

THE CHIEF SECRETARY FOR IRELAND (MR. J. MORLEY, Newcastle-upon-Tyne): I never used the word "dormant."

MR. WYNDHAM begged the right hon. Gentleman's pardon. He thought it was him who had used the word. At any rate, the hon. Member for Waterford (Mr. J. E. Redmond) was constantly trying to distinguish between a dormant and a dead supremacy. Was there any grave distinction between them? When they said that a thing was dormant they meant that it was in a state of suspended vitality; and was there really a grave distinction between a dormant and a dead supremacy? The hon. Member for Waterford on the last night, with his customary dexterity, had once more effected the adroit evasion with which hon. Members were now familiar. When the question was put, "Is this Parliament to remain supreme in the sense in which nine men out of 10 understand supremacy?" the hon. Member said, "Of course it is to remain supreme, as it is in the case of Canada;" and when the Unionists demurred he said, "Do you wish it to be supreme as it is in Kent?" Surely it was possible to find some middle term between the supremacy of Parliament over Canada and the supremacy of Parliament over Kent; and it was because the Unionist Party had failed to find during the eight days of the Debate that middle term, and because the Government drew an illustration from Canada, and then refused to be bound by it, and then pointed to Kent and said such and such a thing would be undesirable—it was because of that attitude of hesitation and dubitancy on

*Sir E. Ashmead-Bartlett*

the part of the Government in the matter that the Debate had been prolonged, and would be prolonged, until the Committee and the country understood what this supremacy was to be. There should be no mistake as to the nature of the Treaty into which they were about to enter. Irishmen, who had many intellectual qualities, were distinguished before all else in memory and imagination. It was idle to suppose that if we gave them a Parliament with doubtful attributes and powers they would not recall to memory their earlier Parliament. They would desire to see its direct successor in the Parliament it was now proposed to set up. *Fortis imaginatio generat casum*, and if a powerful imagination brought the thing to pass he ventured to prophesy that imagination in Ireland would attempt to clothe the Parliament about to be conferred with all the dignity and power that Grattan's Parliament once had. The object of his (Mr. Wyndham's) remarks might be summed up thus: in the attempt at the solution of the question which had been made in the beginning of this century much had been left in doubt, and a great deal of the misconceptions and heartburnings which had followed upon the Union was to be attributed, and justly attributed, to the fact that, whether intentionally as some said, or unintentionally, as he believed, the Irish people had some cause to suppose that they had been cheated in the bargain made. Therefore, in the present Bill, let there be no room for misapprehension either on this or the other side of St. George's Channel.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): I may say, with regard to the speech of the hon. Member who has just sat down, that it is the first that has grappled with the principle of the clause the Committee is now considering. I am not going to follow hon. Gentlemen who preceded him in any Second Reading Debate or historical disquisition on Grattan's Parliament, or on the terms of the Union, for what the Committee has now to decide is practically whether Clause 2, as amended, is to stand part of the Bill; and I venture to submit that a Second Reading Debate upon that question is out

of Order, and that it will also be out of Order to discuss Clause 1. The House, by reading the Bill a second time, has affirmed the principle of this great change in the Government of Ireland; by inserting Clause 1 it has affirmed the principle that Ireland is to have a domestic Legislature, and by Clause 2 the powers of that Legislature are, as I think, limited as well as defined. I would, however, say a word with regard to one remark of the hon. Member who spoke last. Following his Predecessor, the Member for Ecclesall, he complained that the Government had wasted some days by not announcing before last night their views with reference to the supremacy of the Imperial Parliament. I would remind the hon. Member that my right hon. Friend the Home Secretary clearly stated upon the Second Reading of the Bill that the Government would consider and accept any clause which adequately described and set forth the supremacy of the Imperial Parliament. There has been no hesitation whatever about this question. The discussion last night was as to the place in which the declaration should be inserted; and I do not think that it lies in the mouths of hon. Members opposite to blame the Government for the delay occasioned by the discussion of that question—a delay which one Member computed at four days and another at eight days. The hon. Member for Sheffield said that the Amendment declared the principle for which all along the Opposition had been contending, while the hon. Member who has just sat down said it was a barren and I think he said an impracticable concession. Well, that is the question the Committee has now to consider and upon which I wish to say a word or two, as it is a question upon which I have been personally challenged again and again in the course of the Debate. The hon. Gentleman has stated that a large number of constituencies at the General Election entertained a very different view of the supremacy of Parliament from that which has been propounded from this Bench in the present Debate, and that they were under the belief that the Government were going to propose what has been familiarly described as a Gas and Water measure. Now, I had some little experience

of many of the elections. It has been my fate to take part in a great many contests, and I have read particulars of a good many more, and I cannot recall at this moment any single Liberal Member who pledged himself to support a measure which would come within the category of what is called a Gas and Water Bill. I am only speaking from memory and I may be wrong; but my impression is that throughout the length and breadth of the Kingdom the Liberal Party, at all events, declared themselves as supporters of a measure which would give Ireland effective autonomy, the effective control of Irish affairs by an Irish Legislature elected by an Irish people and controlling an Irish Executive responsible to that Legislature. At the same time, with that effective autonomy, there was also to be an effective supremacy of the Imperial Parliament in which, and as a part of which, the Irish Members were to remain. I will not, however, speak for other people. I speak for myself, as my action has been called in question. I would say that that has been my confession of faith, and to that I now adhere, and I venture to submit that this Bill literally complies with those conditions. Clause 2 is a definition of the powers of what may be called, I believe, technically a non-sovereign Legislature. That is not, as the hon. Member for North Islington, whom I now see in his place, declared at the commencement of this Debate, a rival and co-ordinate Parliament.

MR. BARTLEY: I did not use the term "co-ordinate Parliament."

\*MR. H. H. FOWLER: He said a rival Parliament. I would ask the Committee to consider how restricted the powers given by the clause are. They are given, in the first place, with exceptions, and they are subject to restrictions. Then there is granted to the Irish Legislature

"Power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland."

And then, lastly, there is the Proviso introduced last night—a Proviso for which I venture to think there is no legal necessity—which did not add to or take from the supremacy of the Imperial Parliament by one hair's breadth, but which was a declaration to meet the

views of certain hon. Gentlemen who entertained doubts on the point. To put the matter beyond all doubt, there are these three things about this Irish Legislature—it is subject to restrictions and exceptions, the sphere of its operations is confined to matters exclusively Irish, and then there is the declaration that all is subject to the unimpaired, unfettered, and unrestricted supremacy of the Imperial Parliament. Whether that is a wise step to take or not I am not going to argue now. Whether wise or not, that is not the question before the Committee, not the creation of a rival Parliament, or even, as the hon. Gentleman opposite pointed out just now, of one with powers analogous to those granted to Colonial Legislatures. Colonial Legislatures are not restricted to the extent to which and in the manner in which this Legislature will be restricted. The hon. Member for Dover pooh-poohed the effects of these restrictions; and he thought the hon. Member for North Islington, in harmony with the subject of the Amendment which he moved at an earlier period of the Debate in which he proposed to abolish these restrictions, regarded them as of little value.

MR. BARTLEY: Only those in Clause 4.

\*MR. H. H. FOWLER: I cannot agree with him. The reservations in the Bill extend to ten matters which cover the whole foreign policy, the naval and military policy, the trade policy, and other matters of extreme importance, and with respect to which the Irish Parliament is absolutely prohibited from dealing at all. Then there are seven restrictions which I am prepared to prove, when the time comes, absolutely safeguard the civil and religious liberty of Her Majesty's subjects in Ireland. [Laughter.] Hon. Members may laugh. This is a matter of argument in which I am prepared to meet them. I may be right or I may be wrong; but laughter is no answer to a contention of this description. I put it broadly that, under the wording of Clause 4, there is, in my humble judgment, an ample protection both for personal liberty and for the rights of property, if such protection is needed for the minority in Ireland. The hon. Member for Dover asks what is the use of the declaration of supremacy

*Mr. H. H. Fowler*

in the clause; he attaches great importance to having it put in here, and now, having got it, he says what is the use of it, unless there exists machinery to carry it out. That raises the question of what is supremacy and what is effective machinery. I heard with great interest the speech of the hon. Member for Waterford last night, who clearly and fairly defined the line that divides the two ideas as to the question of supremacy. An hon. Member said the other night that I admitted that an Irish Legislature would do foolish things. Well, I have no doubt about it. I know no Legislature that has not done foolish things. I have been a Member for some years of one which has done very foolish things, and I have no doubt if I continue a Member of it I shall see it do other foolish things. It is now doing some foolish things—[*Opposition cheers*]—I expected that cheer—according to the opinion of hon. Gentlemen opposite, just as during the past six years it did many things which we thought very foolish. But all this is no reason for a perpetual, constant, and irritating interference with the Irish Legislature. We in this House have neither the time nor the knowledge to deal with the internal affairs of Ireland. I do not mean in any sense to be disrespectful; but I may say that during the last 10 years a large portion of the time of the House has been wasted in putting and answering questions relating to the internal affairs of Ireland, which were absolutely unintelligible, in the main, to the great bulk of the Members of the House. Well, if you mean by supremacy that the House of Commons is to take on its shoulders the day by day government of Ireland, and to constitute itself a Court of Appeal on all Irish affairs, then the last state will be worse than the first. The plan will be practically impossible and unworkable. That is not the sort of supremacy which I believe Members on this side of the House advocate, and for it this Bill contains no machinery whatever. But if you mean by supremacy that if the Irish Parliament should commit gross injustice, gross oppression, gross wrong, if it should pass or attempt to pass any law which would deprive any of Her Majesty's subjects, no matter of what faith or class, of the elementary rights of English citizens, then the Imperial supremacy ought to be, would be, and

could be brought into force. [*Cries of "How?"*] There are three modes of procedure. The first is the procedure contained in the 3rd and 4th clauses—the procedure of reservation and prohibition. There are certain matters which the Irish Legislature cannot touch, any more than certain States of the United States can touch matters prohibited them under their Constitution—aye, and which the United States Congress itself cannot touch without violating the Constitution. There is in the Bill simple and effective and successful machinery for utilising that power. If the Irish Legislature should transgress the limits laid down and contravene any of the ten prohibitions or the seven reservations, you have a Court constituted to which, immediately and in the briefest manner, appeal can be made by the Executive, by the Lord Lieutenant, or by anyone in Ireland, and from that Court there is an appeal to the Judicial Committee of the Privy Council. So that, so far as the prohibition and reservation is concerned, you have the most ample and effective machinery for carrying it out. What is the second part of the machinery for upholding the supremacy? It is the veto. Hon. Gentlemen say the veto in this country is practically obsolete, and that, therefore, this will be an obsolete veto in Ireland. But I must ask hon. Members to recall for a moment what is the position of affairs in this country. The Sovereign of this country can only act constitutionally by the advice of Her Ministers; and by that strange and, at the same time, admirable working of our Constitution, which is defined in no Statute, and laid down in no written Constitution, there is a most effective mode of exercise of the veto. Her Majesty's Advisers and Ministers must possess the confidence of the House of Commons; and, therefore, if a Bill is proposed in the House which the Executive of the day are not prepared to accept, and the Administration are defeated, they resign or appeal to the country, and either the Sovereign is at once put in possession of a Ministry who possess the confidence of the House, or a general appeal is made to the electorate, and the electorate return a House from which a Ministry is chosen. Therefore, there is no analogy between the veto as exercised in this country with

the veto which would be exercised in Ireland under this Bill. The veto is not exercised in this country by the Crown on the advice of Her Majesty's Ministers, but Ministers who do not possess the confidence of Parliament are dismissed and others take their place. But what would the veto in Ireland mean? Supposing a Bill of an oppressive and unjust character were passed by the Irish Legislature, the Bill lays down, in the clearest manner, the right of Her Majesty, or rather, I should say, the duty of the Lord Lieutenant to refuse the assent of the Crown, on the instructions given to him by the Crown, acting on the advice of the Imperial Cabinet. The Cabinet is practically a Committee of the House of Commons—neither more nor less.

An hon. MEMBER: And the other House.

\*MR. H. H. FOWLER: It includes Members of the other House, but the Cabinet only goes in or out of Office as it possesses or forfeits the confidence of this House. This House as much elects the Prime Minister and the Cabinet as the United States elect the President. In the case of an oppressive Bill being passed by the Irish Legislature, the Cabinet will either veto it or allow it to stand. In either case, if anyone was of opinion that the Cabinet had acted wrongly, he would at once propose a Motion of Censure. That would not be dragged through weary weeks of Debate, but would be dealt with immediately, in a few days.

\*MR. GOSCHEN (St. George's, Hanover Square): I rise to Order. The Committee will feel that the right hon. Gentleman is practically making a speech which covers the whole of the important points of the Bill. We do not object in the slightest degree. No more interesting speech has been delivered in the course of the Debate than that of the right hon. Gentleman; but I trust that it may be permitted to those who have to reply to the right hon. Gentleman to cover as wide a field. If the speech of the right hon. Gentleman is relevant to the clause, the same latitude, I hope, will be given to those who have to reply to his important speech on the whole Bill.

MR. H. H. FOWLER: I do not want to introduce any other clause. The main point of the argument against the

clause as to supremacy is that there is no machinery for making the supremacy effective. I am now showing that there is such machinery.

\*THE CHAIRMAN: The Question before the Committee is that the clause, as amended, stand part of the Bill. An Amendment was introduced last night with regard to the supremacy of the Imperial Parliament, and the right hon. Gentleman was answering questions with regard to this supremacy. Of course, so far as it is necessary in Debate to answer the remarks of the right hon. Gentleman, hon. Members will be able to do so. But, at the same time, I sincerely trust, considering the difficulty of keeping this discussion off other clauses, that hon. Members will take care to keep as closely to the present clause as possible.

\*MR. H. H. FOWLER: I should be sorry to weary the Committee, but I should like to make my point clear, and as I have mentioned two respects in which this machinery is brought effectually to bear, I will come to the third and last. The third mode in which the machinery is made effective is the ultimate resort—not the constant resort, but perhaps the rarest, to be used when everything else has failed—namely, the undoubted right of the Imperial Parliament to repeal any Act of the Irish Parliament. No lawyer will for a moment dispute the assertion that, however the Bill is drawn—whether in its present shape, or whether with every clause relating to Imperial supremacy struck out—it will still be in the power of the Imperial Legislature to repeal any Act passed by the Irish Legislature. Therefore, when I am told that we ought not to consent to this clause because it gives a barren declaration which cannot be put in force, I say that the Imperial supremacy can be enforced by prohibition, reservation, veto, and, finally, repeal. Under these circumstances, when I am challenged by the right hon. Member for the Bordesley Division (Mr. J. Collings) to say whether I still hold the opinions I held when I addressed my constituents in the Midlands, I say I do not recede from them one jot. I maintain here, as I maintained amongst my constituents, that we have effectually secured the supremacy of Parliament. I also maintain here, as I maintained in the Midlands, that

*Mr. H. H. Fowler*

if the Irish Question is ever to be settled it is absolutely necessary to give to Ireland an effective autonomy, not necessarily to hon. Members below the Gangway opposite, but to the Irish people. We are not going to give the control of the affairs of Ireland to so-and-so whom some hon. Members may not like; we are not going to give it to the nominees of this House, or of the Government, or of anyone else, but to whomever the Irish people may choose to elect. When elected they will be responsible to the Irish people, and must stand or fall according to the way they discharge the duties entrusted to them. Therefore, I say that, so far as I am concerned, I have been consistent in this matter; and when the right time comes I shall be prepared—having been charged with neglecting the interests of those with whom I have the deepest sympathy—to show that there are other clauses in the Bill which perfectly safeguard the position of the religious minority in Ireland. This clause is the natural consequence of Clause 1. The powers which it confers are distinctly defined; the restrictions to which the Irish Legislature will be subject are clearly set forth in the Bill; they will safeguard all the interests to which hon. Gentlemen opposite rightly attach supreme importance; and no matter whether this proviso is inserted in this clause or left out of the Bill altogether, the effective and constant supremacy which the Imperial Parliament possesses will remain a living and effective force.

MR. GRAHAM MURRAY (Buteshire) said, they had waited with some anxiety since the commencement of the Debate that morning for some statement on the clause from a Member on the Front Ministerial Bench; and he thought the important speech just delivered was the best rebuke that could have been delivered to the somewhat irresponsible attempts earlier in the day to stifle this very important discussion. He had been for some time wondering what the supporters of the Government really thought was done by the Prime Minister last night when he assented to the Amendment of the right hon. and learned Member for Bury (Sir Henry James). It would have been in the power of the drafters of the Bill to have combined the 1st and 2nd clauses; but, as they had not

done so, he took it they were in Order—indeed, the Chairman had ruled so—in discussing the measure of the powers which it was proposed to entrust to the Legislature created by the 1st clause. They had been challenged to produce the speeches of hon. Gentlemen behind the Government who went in for what might be called the gas and water view of Home Rule. But the right hon. Gentleman (Mr. H. H. Fowler) prudently gave up consideration of that point, and preferred to answer what he himself had said. The right hon. Gentleman said that his view at the General Election had been that the scope of Home Rule should be autonomy for the Irish combined with supremacy on the part of the Imperial Parliament. He (Mr. Graham Murray) rather agreed with a subsequent remark of the right hon. Gentleman, that everything turned upon what they meant, and what definition they gave to the words “autonomy” and “supremacy.” The right hon. Gentleman was a great assistance to them, because he afterwards qualified the word “autonomy” by the adjective “effective. With the Bill as it now stood, it was quite clear that, in the spirit of the Amendment the Government accepted last night, the scope of the action of the Imperial Legislature and the Irish Legislature was absolutely co-extensive, except, of course, as to those matters in which the Irish Legislature was particularly interested. He (Mr. Graham Murray) asked, when they had a scope that was absolutely co-extensive, and when they had the possibility of the Irish Parliament dealing with a particular measure in a particular way, with the Imperial Parliament going the next day and dealing with the same measure in another way, whether they could possibly say there was an effective autonomy, combined with supremacy? If they took that definition, and if there was a definition forced upon them by the Amendment accepted last night, they got nothing less than a pure contradiction in terms. Would they not be rival Parliaments if they were both dealing with the same thing? The impression left on his mind by the tone of the right hon. Gentleman was not that he did not see the extraordinary gravity of the terms of the Amendment accepted by the Prime Minister, but he rather thought it was high time to calm the fears which might

very well arise in the minds of hon. Gentlemen blow the Gangway. This was not the only case where they found the sting in the tail; and there was no doubt that, with the clause as it stood, the Proviso put in had been rather too strong for the clause itself. He would ask if there were not many other causes which, if the clause was left as it was, would lead to collision? The Opposition had insisted on the Amendment of the right hon. and learned Member for Bury, for two reasons—because they thought it was right in the interests of the Irish, and because they were entitled to insist upon it, because it was in consonance with what they might presume to be the spirit in which this Bill was brought forward as they could gather from the words of the Preamble. He only referred to the Preamble by way of illustration; but the Preamble, which in so many words said it was expedient that the supreme authority of the Imperial Parliament should not be impaired or restricted, might be taken as containing the spirit of the Bill. It was quite possible that the Irish Parliament would pass legislation which would affect not English legislation but English interests, and that those whose interests were affected would try to make amends by getting legislation passed by the English Parliament. He would give an illustration. Legislation might be adopted by the Irish Legislature dealing with goods which were sent into Irish markets. It could not be said that this could not be done, because it would not be competent for the Irish Parliament to pass laws dealing with Customs. It had been pointed out over and over again that there was nothing in the Bill as it stood which would prevent the establishment of something in the nature of *octroi* duties, that would make it impossible for English goods to go into an Irish town as if Customs Duties were imposed. Could it be supposed that if any great branch of English or Irish manufacture were interfered with in this way an attempt would not at once be made to induce the Imperial Parliament to pass legislation to a contrary effect? He would give another instance, which, for practical purposes, was, perhaps, a little stronger. The Prime Minister's scheme was that both the Irish Legislature and the Imperial Parliament were to act in the future as the Imperial Parliament had done in the

past by way of Party Government. Surely it was not impossible to suppose that the state of Parties should at some time be such that the minority in the Irish Parliament should have the same leanings, and consist largely of the same personalities as the majority in the Imperial Parliament. There might then be a band of men in the Imperial Parliament who would be able to put a great deal of pressure upon the Government of the day, and, in fact, to dictate the terms upon which their support should be given. Suppose the minority had any legislation passed against them in the Irish Parliament which it was powerless to resist, would not the first instinct of self-preservation under the arrangement stereotyped in this clause lead them to endeavour to get the Imperial Parliament to embark on a course of legislation on the same subject, in order, by a side-wind, to overturn the decision which had been recorded against them at home? It was quite evident, from the point of view of the right hon. Gentleman who had just sat down, that unless the machinery for carrying out the supremacy were effective, the clause was a sham. There was no doubt that a great amount of the support that was given to the Bill was based on the hope that it formed the beginning of the development of similar schemes for other countries. Supposing there had been a further development of the Home Rule scheme, and it had been extended to Scotland and Wales, was it not absurd to suppose the Imperial Parliament having co-ordinate authority, and dealing at the same time with all the subjects that were taken up by each of the separate Parliaments? He objected to this clause because, when the Imperial supremacy had once been admitted as it had been, if these unrestricted powers were given to the Irish Legislature, the result would be not to set up a system of Federation, but to commence a struggle which would lead to the paralysis of both Legislatures, because they would be continually fighting on the same subjects, or else to the effacing of the supremacy of the Imperial Parliament, which, according to the declaration the Government had adopted, they were to be the first to cherish and preserve.

MAJOR-GENERAL GOLDSWORTHY (Hammersmith) said, he was not satisfied that it was a right thing to give over to the Irish people, and especially to the

Irish priests, the powers which the Government proposed to confer upon them. The safeguards which the right hon. Gentleman (Mr. H. H. Fowler) had spoken of were only paper safeguards, and all power of enforcing them was being given up unless the Government were going to use bayonets. Did they intend to use British troops for that purpose? He was very sorry the Chief Secretary for Ireland (Mr. J. Morley) did not happen to be present, because he would possibly be able to answer that question. He (Major-General Golds-worthy) was anxious that a large measure of local government should be given to Ireland; but he could not consent to the throwing upon the Irish Members of the immense power which the Government proposed to confer upon them. The question whether there should be an Irish Parliament or not had been put very plainly to his constituents, and they had replied in the negative. Under these circumstances, he could not support the clause.

Dr. Macgregor rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The Committee divided:—Ayes 281; Noes 220.—(Division List, No. 92.)

Question put accordingly, "That Clause 2, as amended, stand part of the Bill."

The Committee divided:—Ayes 287; Noes 225.—(Division List, No. 93.)

MR. GOSCHEN: I rise, Mr. Mellor, to move that you report Progress.

MR. T. M. HEALY (Louth, N.): I rise to a point of Order. Did you not call on another hon. Gentleman, Mr. Mellor? [*Interruption.*]

THE CHAIRMAN: The right hon. Gentleman is in Order.

MR. GOSCHEN: I wish, Sir, to make an appeal to Her Majesty's Government, not to increase any heat there may exist on either side of the House. I make this appeal most respectfully, believing that, if the Government can see their way to fall in with the suggestion I desire to make, it will facilitate the business of the Committee. The suggestion is that, when there is an extremely important Motion before the House, and when it is decided that only a

single Minister should speak on that Motion, that Minister will speak at such a stage as to allow of some Debate after his speech, so that if the speech be one of commanding importance, like that made by the right hon. Member for East Wolverhampton, it may be replied to by hon. Members representing the various interests of the Opposition, the Ulster Members, and the Liberal Unionists. There is nothing more calculated to lead to irritation than that a Minister should deliver a speech which opens up new problems, and that there should be no adequate opportunity of reply. I do not wish to enter into any controversial matter; but I hope we shall hear a few words from the right hon. Gentleman upon this matter.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. Goschen.)

MR. W. E. GLADSTONE: I gather, Mr. Mellor, that the Motion is made rather for the purpose of drawing a declaration from the Government than for interrupting the proceedings of the Committee; and I hope the answer I have to offer will give some satisfaction. As a rule, the Government has neither proposed nor supported the Closure immediately after a speech from a Minister. Again and again the Government has acquiesced in a Minister being followed by the Leader of the Opposition (Mr. A. J. Balfour) and others before the Closure has been moved; and that general rule has not been violated by anything which has happened to-day. The right hon. Member for East Wolverhampton spoke after hearing a good many speeches from the Opposition, and after he sat down the Closure was not moved until two more speeches from the Opposition had been heard. No doubt when the Closure was moved three or four hon. Members rose to speak. [*Cries of "More!"*]

MR. MACARTNEY (Antrim, S.): Fifteen.

MR. W. E. GLADSTONE: But it cannot possibly be supposed that the moving of the Closure implies any lack of consideration for the feelings of the Opposition. I submit to my right hon. Friend that in the closing of this Debate there has been no deviation from the general practice of the Government.



MR. GOSCHEN : The right hon. Gentleman has not referred to one point, which is that, besides the Opposition on these Benches behind me, there are others who are entitled to be heard on this Bill. There are the Ulster Members and the Liberal Unionists—[*Laughter*]. Yes, we have a fair claim to be heard in reply to the speech of the President of the Local Government Board, which the Prime Minister did not hear, and which had as important a bearing upon the whole subject as any speech that has been delivered. To that speech it was only possible to reply with two short speeches from these Opposition Benches. Very great disappointment is felt that no further opportunity was given for a reply to the speech of the right hon. Gentleman. Hon. Gentlemen seem to think that I am using this as an opportunity for raising a controversy. I can assure them that that is not the case. I am anxious that there should be a feeling in all parts of the House that this Bill should be fairly discussed, and I think it is a candid and straightforward course to inform the Prime Minister of the feeling which has been roused when it is found that full and fair discussion is not allowed. I trust the right hon. Gentleman will weigh the point, that it is not simply one speech, which, though a very important speech, the first in the Debate from a Minister, will be thought adequate on a clause of such vital importance.

MR. W. E. GLADSTONE : I must remind my right hon. Friend that, undoubtedly, as he said, the clause is one of vital importance ; but I think the right hon. Gentleman must remember that that is an allegation which we hear on every Motion that is made, on every clause, on every sentence of the clause, and on every series of Amendments. We are always told that this is the crux of the Bill. You cannot expect to have the full benefit of that plea in its largest terms, when it is a plea that we hear not only once, but many times in the day. It is quite true, as the right hon. Gentleman has said, that my right hon. Friend's speech was of great importance, and that I had not heard it. But I have heard of its purport since my right hon. Friend sat down, and I believe that there was no sentiment given by my right hon. Friend which was not in entire conformity with all previous speeches on the part of the Government. If there was not such

conformity, there was a very able gentleman, the late Solicitor General for Scotland, to point it out, and he did not point it out at all that any special answer was required. I think my right hon. Friend will feel that he has received a fair answer from me in having accepted his proposition that the Government never sought to Closure when it was in a position of advantage in the Debate, and on that principle we shall continue.

Several Members rising—

\*THE CHAIRMAN : I have allowed the discussion to go on in order that these mutual explanations might take place. Although it is very desirable that such explanations should take place, it is altogether undesirable that the discussion should continue. It would be out of Order to discuss the adoption of the Closure. That which was the action of the Committee is closed, and is not matter for debate.

\*SIR T. LEA (Londonderry, S.) : I wish to appeal to the Government on a somewhat similar matter. I am sure the Government will not say that I ever trespassed on the time of the House. I have not said a word since the Bill was in Committee. I wish to ask the Prime Minister whether he thinks it desirable that on this Bill, which interests more than anything else can do the Irish people, important questions should have been decided without a single Irish Representative having been allowed to speak.

THE CHAIRMAN : I have already explained why I allowed the discussion to go on, and why I consider that any further discussion will be out of Order.

MR. J. COLLINGS (Birmingham, Bordesley) : Mr. Mellor—

THE CHAIRMAN : The Question is that I report Progress, and ask leave to sit again.

MR. MACARTNEY : Mr. Chairman, I think it is impossible for the Committee to rest absolutely satisfied with the declaration of the Prime Minister.

THE CHAIRMAN : I have already said it would be out of Order to discuss this matter further.

MR. BARTLEY : On the point of Order, Sir—

THE CHAIRMAN : I have ruled that the hon. Member is out of Order, and under that ruling I have power to put

the Question, which is that I report Progress, and ask leave to sit again.

The House then cleared for a Division, and when the Question was about to be again put,

MR. GOSCHEN, who spoke from his seat and with his hat on, said: Mr. Mellor, I wish to ask a question on a point of Order, under Rule 23. That Rule is—

"If Mr. Speaker or Chairman of a Committee of the whole House is of opinion that a Motion for the Adjournment of a Debate, or of the House, during any Debate, or that the Chairman do report Progress, or do leave the Chair, is an abuse of the Rules of the House, he may forthwith put the Question thereupon from the Chair, or he may decline to propose the Question thereupon to the House."

I wish to ask whether the Motion to report Progress is an abuse of the House?

\*THE CHAIRMAN: According to the ruling of the Speaker, that is so; when a Motion to report Progress becomes out of Order it is an abuse of the Rules of the House. This Motion became an abuse of the Rules of the House, when debate was persisted in which was contrary to the Rules in spite of my repeated remonstrance as each Member rose and attempted to reflect on the application of the Closure. I then decided forthwith to put the Motion.

SIR J. GORST (who also sat covered): On the point of Order, Mr. Mellor—

THE CHAIRMAN: The Question is that I report Progress, and ask leave to sit again.

Question put.

The Committee divided:—Ayes 244; Noes 299.—(Division List, No. 94.)

MR. GOSCHEN: I rise, Mr. Mellor, to put a point of Order to you. I am sure the Committee generally will feel that, even if constructively the burden is put upon me that I made a Motion that was an abuse of the Rules of the House, it is a reproach that no hon. Member, and no one who has been in the House, as I have, for a number of years, would wish to be entirely silent about. I moved this Motion, and I venture to say that, whatever other speakers may have done, when I moved the Motion I was entirely in Order, and it could not for a moment be suggested that I was out of Order. If so, you, Sir, put the Motion from the Chair, and I venture to think that at that time no one thought that this Motion was

an abuse of the Rules of the House. I have the Rule on which, I presume, you acted. It is—

"If Mr. Speaker, or the Chairman of a Committee of the whole House, is of opinion that a Motion for the Adjournment of a Debate, or of the House, during any Debate, or that the Chairman do report Progress, or do leave the Chair, is an abuse of the Rules of the House, he may forthwith put the Question thereupon from the Chair, or he may decline to propose the Question thereupon to the House."

But you did not, Mr. Mellor, decline forthwith to put the Question from the Chair when I moved, nor did you decline to propose the Question thereupon. I understood that because other hon. Members rose, therefore you considered, in your discretion, that the Motion, which had not been an abuse when it was originally moved, had then become an abuse of the Rules when other Members rose. I think it will be seen that the privileges of the House are deeply concerned in this matter, because the point at issue really is, when a Motion to report Progress has been made, whether, if one or two Members are in Order in speaking upon it, the Motion, so to say, can be closed at once, and other hon. Members who might be prepared to speak perfectly in Order upon the Motion should thereby be deprived of their opportunity. It is with reluctance, Mr. Mellor, that I raise the point; but I am sure you will see that I am anxious it should not for one moment be supposed, either in or out of this House, that I had made a Motion which was an abuse of the Rules.

\*THE CHAIRMAN: In answer to the appeal made to me by the right hon. Gentleman, I must, of course, declare what the Rule of the House is. It has long been decided, both by the Speaker and my Predecessor in the Chair, that to question the action of the Closure directly or indirectly is out of Order. Neither the action of the Chair nor the votes of the Committee can be questioned or reflected on except on a Motion moved in the House after notice duly given. I am bound, of course—it is my duty—to preserve to the best of my ability the Rules of the House. The right hon. Gentleman made this Motion immediately after the Closure had been moved. I felt it to be my duty in the Chair to endeavour to promote harmonious action between the two sides of the House, and I thought it better to allow the right hon. Gentleman the

opportunity of putting his question to the Prime Minister, and to the Prime Minister of answering it, because I think such a course promotes a good understanding and the progress of business in this House. After the Prime Minister's reply the discussion became highly irregular—indeed, in the strictest sense the whole of the discussion was irregular—but after that it became distinctly irregular, because other hon. Members rose to question the propriety of the Closure, a course which I have had to rule more than once to be absolutely out of Order in this Committee, and they tried, in spite of my rulings, to take part in what had become a highly irregular discussion and an abuse of the Rules of the House. Out of respect for the right hon. Gentleman, and out of respect for his position, I put this Motion from the Chair. I never said or suggested that I declined to put the Motion, for the reasons I have already given. I can only say that—of course in the most strict and technical form—the discussion became out of Order and an abuse of the Rules of the House, but I never for one moment thought of imputing to the right hon. Gentleman, in the sense in which he uses the words, that he made any Motion which was intended to be an abuse of the Rules. Having explained this, I hope I may add that, if for one moment it is permitted to move to report Progress in order to question the action of the Closure, the whole Closure Rule, in my opinion, will become nugatory. I am bound to enforce the Rules of the House; there is an inherent power in the Chair to take the necessary steps to maintain order, and I am bound to do my best to carry out the duties which the House has entrusted to me.

THE CHAIRMAN then called on Captain Naylor-Leyland, when—

MR. SEXTON rose to a point of Order in reference to this Amendment. The hon. and gallant Gentleman proposed to move that the consideration of Clauses 3 and 4 should be postponed until after the consideration of Clause 8. Clause 2, which the Committee had just agreed to, dealt with the law-making powers of the Irish Legislature, and Clauses 3 and 4 dealt with the exceptions from and restrictions on those powers. Clause 3 defined the exceptions and Clause 4 the restrictions. He wished to know whether it was competent for an

hon. Member to move that these clauses, 3 and 4, should be postponed until after the clauses dealing with the Executive authority and the constitution of the Irish Legislature should have been disposed of?

SIR JOHN GORST: I rise to Order.

THE CHAIRMAN: The hon. Member for North Kerry is distinctly in Order.

MR. SEXTON said, the hon. and gallant Gentleman who was going to move the next Amendment proposed to postpone Clauses 3 and 4 until they should have disposed of the clauses dealing with the Executive power in Ireland, the composition of the Irish Legislative Council, the composition of the Irish Legislative Assembly, and the mode of settling disagreements between the two Houses. The question of Order he had to put was this: was it competent for the hon. and gallant Member to move that the 3rd and 4th clauses, which related to the law-making powers affirmed by the acceptance of Clause 2, should be postponed until clauses dealing with different matters should have been disposed of?

SIR JOHN GORST: May I be heard on a point of Order? I submit that what the hon. Gentleman has raised is no point of Order at all. The reasons he has given are admirable reasons against postponing the clauses, and in Debate will no doubt be considered by the Committee; who will decide whether the clauses shall be postponed or not; but certainly he has raised no point of Order.

THE CHAIRMAN: In answer to the question put to me, I have to say that the Amendment as it stands on the Paper is not in Order. It has been explained to the hon. and gallant Gentleman moving it that he can move that the consideration of Clause 3 be postponed and then that the consideration of Clause 4 be postponed, but he cannot move their postponement until after any particular clause.

MR. MACARTNEY: On a point of Order I desire, for the information of myself and many other hon. Members sitting on this side, to know, Sir, what ruling you have laid down—

THE CHAIRMAN: Order, order! That matter is settled.

Clause 3 (Exceptions from powers of Irish Legislature).

CAPTAIN NAYLOR - LEYLAND (Colchester), who had the following Amendment on the Paper :—

"That the consideration of Clauses 3 and 4 be postponed until after the consideration of Clause 8,"

rose to move that Clause 3 be postponed. Although he could not move the Amendment as it stood on the Paper, it expressed what was his intention. If the Committee now agreed to that part of his Amendment which was in Order—namely, to postpone Clause 3 indefinitely, he would afterwards move that it be inserted in Clause 8. They had affirmed in Committee that they were going to set up a Legislature in Ireland consisting of two Houses—a Legislative Council and Legislative Assembly. They had also affirmed in Committee that, subject to certain exceptions and restrictions, these two Houses would be able to make laws for the peace, order, and good government of Ireland. He contended that the next thing for them to do in logical sequence was to define that Legislature, lay down what it was to consist of, what franchise it was to be elected upon, and whether there was to be any property qualification. When they had defined the Legislature and completely set it up, then only should they be able to say what powers they meant to entrust to it. All they had done at present was to set up this nebulous Parliament, but goodness only knew what they were going to do with regard to the constitution of the Irish Legislature. He contended that they ought to determine the question of the composition of that Body before they determined what powers should be entrusted to it. Surely the question of the composition of the Legislature ought to be settled before they proceeded to consider the restrictions which were to be imposed upon its powers. Before they came to Clauses 5, 6, 7, and 8, and before they dealt with the constitution of these two Houses, there were three alternatives, any one of which might happen. They might leave the composition of the two Houses as it was, or they might make it a great deal more democratic. He had heard a rumour in the course of the last few days from a reliable source, that it was the intention of the Representatives from Ireland and of the Party headed by the hon. Member for Northampton, who exclusively com-

posed it, to move that the £20 qualification, which it was now proposed to enact as necessary for the Second Chamber, should be removed altogether from the Bill. That, he heard, was the opinion of nearly all the Representatives from Ireland.

MR. SEXTON could assure the hon. and gallant Gentleman that he was entirely in error.

CAPTAIN NAYLOR-LEYLAND would accept the assurance of the hon. Member so far as it affected himself, but if he was going to withdraw what he had said he should require a similar statement to that of the hon. Member to be made, not by one hon. Member for Ireland, but by all.

MR. HARRINGTON (Dublin, Harbour): I think we can assure the hon. and gallant Gentleman that no Irish Member has any intention of reducing the qualification.

CAPTAIN NAYLOR-LEYLAND said, very well, he would withdraw his original statement, and say that the whole of the Irish Members, with the exception of two, were going to move it. [*Cries of "Question!"*] He should like to know who was the Leader of the Irish Party? Was there anyone qualified to speak more for the Irish Party than any others? Why, there were more Leaders than there were Members.

THE CHAIRMAN requested the hon. and gallant Gentleman to confine himself to the Amendment.

CAPTAIN NAYLOR-LEYLAND said, if they were to adopt one of the alternatives to which he had alluded and do away with the property qualification in order to make the Chamber more democratic, they would have to introduce into the Bill a great many more exceptions and restrictions than it contained at the present time; therefore it was desirable that the consideration of the restrictions should be deferred until after they had settled the constitution of the Legislature. The final alternative was that instead of making the Irish Legislature more democratic and doing away with any of the safeguards they should increase them. It might be possible when they came to the consideration of the Upper Chamber they could alter the property qualification by increasing it to £100 or double its Members. If they did these things then they could proceed to do away with nearly all the excep-

tions in Clause 3, and the restrictions which were included in Clause 4. It was quite certain that whatever they did they must follow one of these three alternatives, and no matter which of them they followed it was very desirable to constitute the Irish Legislature from beginning to end before they considered for a single moment the powers they were going to entrust to these two Chambers. They ought not to fashion Clauses 5, 6, 7, and 8 according to the composition of Clause 3, but they ought to fashion Clause 3 according to the composition of these clauses. He had several precedents for the course which he was suggesting by his Amendment, but he would not detain the Committee by quoting them. On many former occasions during the last 20 years they had deferred the consideration of some clause which was in the middle or at the beginning of a Bill because there was some subsequent clause which had an important bearing upon it. He appealed to the Government to accept the Amendment, on the ground that its adoption would tend to facilitate the discussions on the Bill. He begged formally to move that Clause 3 be postponed.

Motion made, and Question proposed, "That Clause 3 be postponed."—  
(*Captain Naylor-Leyland.*)

MR. W. E. GLADSTONE: I will endeavour very briefly to state why it is impossible for the Government to accept this Amendment. I can conceive that the question may be legitimately raised whether, after you have determined to establish a Legislature, you shall then first proceed to consider the details of its composition or the powers which that Legislature shall exercise. But upon that question it appears to me that you ought first to consider the powers and afterwards the composition, and for this reason: the powers ought to be regulated by the wants of the country, and the composition ought to be according to the powers, and the whole by reference to the wants of the country. And I do not see what guide you have to the composition until you have considered the powers. But that, Sir, is not the position of the hon. Gentleman. He affirms we have decided the question. We have begun to consider the powers; we have enacted that this Legislature shall be appointed to make laws for the peace, order, and

good government of Ireland. But these are the terms in which usually, by the precedents and customs of Parliament, powers are given to a Legislature. Therefore the hon. and gallant Gentleman is not proposing to take the consideration of the composition before the consideration of the powers. What he is proposing is that, after we have conferred the main powers according to Parliamentary precedents, we shall postpone in the middle of the powers the consideration of the restrictions on those powers until we have considered the composition. I must own I cannot see any convenience in such a course of proceeding. Some consideration is usually shown to the promoters of a great Bill as to the arrangement of the clauses, unless matters of great principle are involved. It would be most inconvenient and most anomalous, the powers having been taken into consideration, and the clause conferring the powers having been dealt with, to interrupt the consideration of the powers for the purpose of considering the composition of the Assembly.

MR. RENTOUL (Down, E.) said, it seemed to him that the powers could not be said to be given until the restrictions upon them were defined, therefore it was a case here of interjecting the appointment of hon. Members of the Legislative Bodies in the midst of giving the powers. They (the Unionists) were desirous to understand who were the persons to whom those powers were to be granted, before they were granted; and they were of opinion that a great deal would depend, as to the powers to be given, upon the character and number and position of the persons who would compose the Legislative Body in Ireland. If they were entirely satisfied with the composition of the Body they might require no restrictions whatever; therefore, it seemed to him the Government ought to be willing to accede to the Amendment. Surely it was a reasonable Amendment. They who were from the North of Ireland were the persons who were particularly concerned and interested in this matter. They said that certain powers were to be given to certain individuals, and they wanted to know who the individuals were. If they could conceive that the individuals appointed to this Legislative Council and Assembly were such as they could have entire confidence in, it would be illogical to ask

*Captain Naylor-Leyland*

for any restrictions to be placed upon them, and the amount of restrictions they should propose and desire on that side of the House would depend entirely on the persons who were to exercise these powers. That being so, he appealed to the Government to accept the Amendment, so that they might see who were to govern them; and hereafter they might prove more reasonable than the Government thought. Was it not natural that the Loyalist Members from Ireland should be treated as being quite as reasonable as hon. Members from Ireland who held Home Rule views. They (the Unionists) represented those who had been successful in Ireland, while hon. Members below the Gangway represented those who had not been successful. It was on that ground they desired to know to whom these powers were to be committed, and then hon. Gentlemen would find they were perfectly reasonable, and that whatever requests they made they should have something reasonable to say for them.

Mr. Theodore Fry rose in his place, and claimed to move, "That the Question be now put."

THE CHAIRMAN: I have no doubt the Committee will soon be able to come to a conclusion on the point.

Debate resumed.

MR. J. COLLINGS would remind the Committee that there was such a place as Great Britain, and the interests of Great Britain would be very seriously affected by the composition of the Chamber in Clause 9. If the Government would state that they were going to adhere to the composition as it appeared in Clause 9 the Committee might proceed with Clause 3; but, inasmuch as they were in the dark as to the composition of the Legislature, it was a most reasonable thing to ask that the consideration of the powers should be postponed until the composition was settled. The Prime Minister, for very good reasons, had postponed the Financial Clauses, and he contended that there were equally good reasons why this clause should be postponed until after Clause 9 at any rate. They would then be able to see what really could be confided to the Legislature in Ireland when they knew what the composition of the Legislature was. This seemed to him one of the most reasonable requirements

that had been made upon this Bill; the Government could not sustain any harm by accepting it, and its adoption would greatly smooth the course of the Bill.

Mr. Sexton rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

SIR RICHARD TEMPLE (Surrey, Kingston) supported the Amendment. He said they contended that the power conferred upon this new Legislature was of a very general character, and that until the specific particulars were decided there was no determination of the powers.

It being half-past Five of the clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again upon Tuesday, 30th May.

OUTDOOR RELIEF (FRIENDLY  
SOCIETIES) BILL.—(No. 184.)  
COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Strachey*.)

Objection taken.

MR. STRACHEY said, there was practically agreement in all parts of the House; but the President of the Local Government Board, for Departmental reasons, objected to the Bill.

\*MR. H. H. FOWLER: I do not object to the Bill at all; and if the hon. Member is prepared to accept the Amendments which I have put down for public reasons, I shall be happy to further the progress of the Bill; but, unless they are accepted, it will be impossible for me to do so.

SIR HERBERT MAXWELL (Wigton) said, he had an objection to the Bill. The subject with which it dealt was now being inquired into, and, therefore, it would be inexpedient to legislate upon it at the present time.

MR. STRACHEY desired to make a personal explanation. The right hon. Gentleman the President of the Local Government Board seemed to think he was charging him personally with objecting. He did not at all mean that.

What he meant to convey was that there were technical objections from the right hon. Gentleman's Department; but he did not mean to suggest that the right hon. Gentleman himself had no sympathy with the Bill.

Committee deferred till Wednesday, 31st May.

**PUBLIC LIBRARIES (IRELAND) ACTS  
AMENDMENT BILL.—(No. 242.)**

**COMMITTEE.**

Order for Committee read.

MR. T. M. HEALY moved that the Committee stage of this Bill should be taken, but several hon. Members objected.

MR. BARTLEY appealed to his hon. Friends to allow the Bill to pass through Committee. They ought to allow Irishmen to read books, and then they would become more convinced of the demerits of the Home Rule Bill.

MR. T. M. HEALY said, that the Bill was only an attempt to extend in Ireland the provisions of the English Libraries Acts. While they were Members of the United Kingdom let them have common laws.

COLONEL HOWARD VINCENT asked whether the hon. and learned Gentleman would allow his Irish Police Enfranchisement Bill to pass if he withdrew his objection to this Bill?

MR. T. M. HEALY: This is not my Bill at all. It is the Bill of the Parnellite Member for Dublin.

COLONEL HOWARD VINCENT said, he would withdraw his objection if the hon. and learned Gentleman would use his influence with the Parnellite Member in question to allow the Irish Police Enfranchisement Bill to pass.

MR. T. M. HEALY said, he would do so.

SIR FRANCIS POWELL bore testimony to the services rendered by the Irish Members in passing the English Libraries Act, and hoped hon. Members would allow the clauses to pass through Committee.

Bill considered in Committee, and reported, without Amendment.

MR. T. M. HEALY: The House may now complete its gracious work by allowing the Bill to pass the Third Reading.

Motion made, and Question proposed, "That the Bill be now read the third time."—(Mr. T. M. Healy.)

*Mr. Strachey*

COLONEL HOWARD VINCENT objected, but withdrew the objection on the hon. and learned Member for Louth (Mr. Healy) agreeing that he would not oppose the Irish Police Enfranchisement Bill.

MR. MACARTNEY objected to the Third Reading, in order that he might consider some communications he had received from Ireland on the subject.

MR. T. M. HEALY: Then my bargain with the hon. Member for Sheffield is off.

Bill to be read the third time To-morrow.

**COMMONS REGULATION PROVISIONAL  
ORDER (WEST TILBURY) BILL.—(No. 323.)**

Read the third time, and passed.

**ELECTRIC LIGHTING PROVISIONAL  
ORDERS (No. 3) BILL.—(No. 318.)**

As amended, considered; to be read the third time To-morrow.

**PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 4) BILL.—(No. 354.)**

Read a second time, and committed.

**PUBLIC LIBRARIES ACT (1892) AMEND-  
MENT BILL.—(No. 96.)**

Lords Amendments to be considered forthwith; considered, and agreed to, with an Amendment.

**PRISON (OFFICERS' SUPERANNUATION)  
(No. 2) BILL.—(No. 359.)**

Considered in Committee.

Committee report Progress; to sit again To-morrow.

**VOLUNTARY CONVEYANCES BILL  
[Lords].—(No. 355.)**

Read a second time, and committed for Wednesday 31st May.

**WEIGHTS AND MEASURES BILL.  
(No. 163.)**

As amended, considered; Bill to be read the third time To-morrow.

**PUBLIC PETITIONS COMMITTEE.**

Eleventh Report brought up, and read; to lie upon the Table; and to be printed.

**ELECTRIC LIGHTING PROVISIONAL  
ORDER (No. 1) BILL.—(No. 284.)**

Reported [Provisional Order confirmed]; as amended, to be considered To-morrow.

House adjourned at ten minutes before Six o'clock.

# HOUSE OF LORDS,

*Thursday, 18th May 1893.*

## NEW PEER.

Sir Archibald Campbell Campbell, of Blythswood, in the county of Renfrew, Baronet, having been created Baron Blythswood of Blythswood in the county of Renfrew—Was (in the usual manner) introduced.

Several Lords—took the Oath.

## SALE OF INTOXICATING LIQUORS (IRELAND) BILL [H.L.].—(No. 54.) COMMITTEE.

House in Committee (according to Order).

### Clause 1.

THE EARL OF ARRAN said that, having found, on consultation with those interested in this matter, that Lord Rookwood's Amendment to this clause, which came after his own, for leaving out, in line 8, from the word "and," to the end of the clause, was likely to be more popular and more in agreement with public opinion in Ireland than that Amendment, he begged to withdraw it.

THE EARL OF WEMYSS said, he believed that, if time had permitted, a strong Memorial would have been forwarded from all the towns proposed to be brought under the operation of the Bill against being touched by it, but their Corporations would not meet until the beginning of next month, and therefore they would have no opportunity of sending up any resolutions to their Lordships' House on the subject. He therefore, in accepting any Amendment, desired, on the part of those who might wish to bring forward any such resolutions, to reserve to himself freedom to make any proposal at a later stage of the Bill.

Amendment (by leave of the Committee) withdrawn.

LORD ROOKWOOD moved, in Clause 1, line 8, to leave out all the words after ("on") and to insert—

("Sundays within the Metropolitan Police District of Dublin Metropolis, and within the Cities of Cork, Limerick, and Waterford, and the town of Belfast, shall, instead of the hours now fixed by that Act, be the hours from 2 to 5 p.m.")

VOL. XII. [FOURTH SERIES.]

He apologised to the Irish Peers for venturing to interfere in a matter which concerned them more vitally than himself; but, at the same time, he perceived the dangers that might arise, especially in large cities, from any violent interference with the existing state of things until the House was satisfied not only that a majority of the people were in favour of it, but that it was practically the unanimous wish in any particular town. He was old enough to remember what took place when a similar attempt was made to limit the hours of closing in this Metropolis, the riots which followed it, and its having to be at once abandoned; and he was certain that any attempt of the kind would throw back for years, if not entirely, endeavours to deal with the subject. He was as anxious as any of their Lordships to see the cause of temperance advanced in Ireland as well as in this country, and quite admitted that the Act of 1878 had been in the rural districts a beneficent measure, and should be made permanent, as this was proposed to be, instead of being merely a continuing Act. But in regard to the towns which had hitherto been exempted from the operation of that Act, it would be far safer to begin with them in a tentative way, and to accept the proposals of the large minority of the Committee on Hours of Closing which sat in 1877. The hours now in force were practically the proposal of Mr. Madden, the Chairman, against a large section of that Committee. Shortening the hours, instead of entirely closing on Sundays; would, he thought, be the safer course, and he therefore begged to move this Amendment; but, as it had been pointed out to him that some of the later words would refer to something different to what he had intended, he would put the Amendment in the form "to leave out all the words after 'on,' and insert—

"Sundays within the Metropolitan Police District of Dublin Metropolis, and within the Cities of Cork, Limerick, and Waterford, and the town of Belfast, shall be read as if the hour of 5 o'clock were substituted therein for the hour of 7 o'clock."

That would carry out what he intended, and would be a better form of Amendment.

LORD O'NEILL believed that Lord Rookwood had expressed the views of many of their Lordships, and he had



come to the conclusion that some Amendment of the kind was inevitable. The introduction of such an Amendment might be a disappointment to some who had supported the Bill on the Second Reading; but he felt he could not recommend the supporters of the Bill to resist the Amendment of the noble Lord, in view of the opinions so strongly expressed since the Debate on the Second Reading. Still, the evidence which had been given before the Committee went to show that in Belfast the feeling was almost unanimous in favour of the adoption of the Bill, and he should therefore propose to amend the Amendment so as to extend Sunday closing to the City of Belfast. Therefore, supposing their Lordships accepted the noble Lord's Amendment, he would propose to re-amend it by leaving out the words "in the town of Belfast," and by adding at the end the words "in the city of Belfast the closing shall be for the whole of Sundays."

LORD MONTEAGLE said, he had been asked by employers and others to adopt a similar course with regard to Limerick, from which city he presented several Petitions praying that entire Sunday closing might be extended to that city. Among the petitioners were the Young Men's Christian Association, the Baptist Church, the Congregational Church, and 66 of the principal employers and residents in Limerick, all desiring that that city should be included in the operation of the Bill. The last-mentioned Petition had also been signed by the Mayor and Sheriff of the city, and by the Protestant Bishop. The Roman Catholic Bishop, Dr. O'Brien, also was well-known to be in favour of the Bill, but was absent at the time the Petition was prepared.

THE EARL OF MEATH had been asked to say that it was not desired to include Dublin in the Bill in the same way as the two noble Lords had suggested with regard to Belfast and Limerick. It was found that in Dublin three hours was really a little too long for the public-houses to be kept open on Sundays. The opinion prevailed in different quarters that two hours would be quite sufficient to meet the needs of those who required to go to public-houses on Sunday, and accordingly he would be prepared to support Lord Rookwood in his Amendment if the noble Lord would

kindly substitute 4 o'clock instead of 5 as the closing hour.

THE FIRST LORD OF THE ADMIRALTY (Earl SPENCER): My Lords, with regard to the course the Government will take on this question, I feel, I confess, some little difficulty. We should have been glad, considering the difference of opinion that exists with regard to the Amendments, to have taken time to consider the course which we think it advisable to follow. On the one hand, it is clear that in some towns, like Belfast, there is a strong opinion in favour of the Bill as originally framed. The noble Lord who spoke last but one (Lord Monteaale) appears to take the same view with regard to Limerick. On the other hand, Dublin is disposed to agree to the Amendment proposed by the noble Lord opposite, modified perhaps to the extent of one hour as referred to by my noble Friend Lord Meath. All these matters are deserving of careful consideration, and I therefore, on the whole, would be disposed to vote with the noble Lord opposite (Lord Rookwood) if it came to a Division. I would rather, however, the matter should be reserved for consideration before the Standing Committee, and then I shall be prepared on the part of the Government to take a more decisive line on the subject. Inquiries are being made in Ireland with a view to ascertaining the general feeling of the localities concerned on the subject. I think, therefore, it would be better not to divide the House on the present occasion.

THE EARL OF WEMYSS said, if the noble Lord went to a Division he should certainly vote with him; but he thought after what had fallen from the noble Earl on the Government Bench, if a little longer delay were accorded, their Lordships would be placed in possession of the views of the people in the corporate towns affected by the Bill, who would thus be afforded the opportunity of showing whether they were or not in favour of it. Whatever action might be taken that day, he must reserve to himself liberty to consult those Corporate Bodies on the subject.

LORD ROOKWOOD said, he gathered from what had been said by noble Lords that his Amendment was not really objected to, though they might wish to further amend it. If his Amendment

were now engrafted in the Bill, the whole matter could afterwards be discussed in Standing Committee. None of the proposed Amendments would be prejudiced by the adoption of his own, if left open for further alteration should it be necessary.

THE EARL OF MEANING said, he thought a discussion in Standing Committee would be quite sufficient.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): I would suggest to the noble Lord that he should hardly guide himself entirely by what has been said by my noble Friend. This is not a Government Bill; and although we are very glad to give assistance in the matter and to express our opinion, yet it must not be considered as decisive. My noble Friend only suggested that it might be desirable to delay amending the Bill because he was aware that careful inquiries were being made on the subject in Ireland, for there seems to be a good deal of doubt as to what is the true feeling in some of the towns. I should, therefore, much prefer that the noble Lord who moved the Amendment should not persevere with it. I must say I do not see the logic of putting it in the Bill merely to amend it afterwards. All we can say in the matter at present is that nobody seems to be in a position to afford the House all the information we ought to have before us in order to decide upon a question of considerable difficulty.

VISCOUNT POWERSCOURT: I understand the Leader of the House has made an appeal to the noble Lord opposite to withdraw his Amendment?

THE EARL OF KIMBERLEY: I do, rather.

LORD ROOKWOOD said, that under the circumstances he was not prepared to withdraw his Amendment on the present occasion. He only wished to get the Amendment fairly before the Committee to be considered on its merits, when it would be seen to be in accordance with the action which, in the general opinion, should be taken in the matter.

\*LORD KNUTSFORD had some doubt whether such a question as the inclusion of the towns mentioned could properly be raised before the Standing Committee,

but it might be brought forward at a later stage on Report, or the Committee might now be adjourned.

THE EARL OF KIMBERLEY: I do not think there could be any objection in point of Order in these Amendments being then raised. Your Lordships will remember that it must come before the House again on Report afterwards. We do not wish to prejudice the noble Lord's Amendment in the least. We only desire that it should not be pressed now.

\*LORD KNUTSFORD: It comes before the House again on Report, not in Committee.

LORD HALSBURY: I do not think there would be any technical objection to this being discussed before the Standing Committee, though, no doubt, it is not the class of thing which is generally discussed there. I think it would be rather a precedent for our discussing what is more a Second Reading business than a question of this sort.

\*LORD KNUTSFORD: It is really only a matter of convenience of procedure; and if no objection is felt to raising this question in Standing Committee, I do not see that it need be pressed now.

LORD HALSBURY: It is merely a question of technicality.

THE EARL OF KIMBERLEY: I understand that the noble Lord opposite would rather prefer that the Bill should come before the Standing Committee than a Committee of the whole House.

THE DUKE OF RICHMOND: My Lords, under these circumstances, I would suggest that the proper course would be that this Debate should be adjourned.

THE EARL OF KIMBERLEY: Quite so; that would be the better course, I think.

Debate adjourned accordingly.

House resumed; and to be again in Committee on Monday the 12th June next.

# RAILWAY SERVANTS (HOURS OF LABOUR) BILL.—(No. 73.) COMMITTEE.

House in Committee (according to Order).

Clause 1.

LORD PLAYFAIR proposed an Amendment on this clause, which he said was of some importance. Your Lordships

will recollect that if there was any dispute between railway servants and their employers as to overwork those disputes were to be considered by the Board of Trade, who would settle the question between them; but that if they failed, the disputes should be taken to the Railway and Canal Commissioners. The latter body had two powers—one administrative, to try and settle the dispute which the Board of Trade had failed to do; the other a judicial power of enforcing penalties if the two parties could not come to an agreement. The object of the Amendment is to limit the administrative power of the Railway and Canal Commissioners to two appointed members—that is, in the present case Sir Frederick Peel and Lord Cobham; and that the Judges who are engaged in judicial duties in the High Court should not be called upon to take part in the administrative part of the Act, but should be able to be called in in case of any judicial question. The Railway and Canal Commissioners are strongly of opinion that an Amendment should be made to this effect, and I now beg to move it.

Amendment moved,

In Clause 1, page 2, line 17, after ("Act") to insert ("provided that notwithstanding anything in section five of that Act the jurisdiction of the commission for the purposes of this Act may be exercised by the two appointed Commissioners"), and in line 18, after ("railway") insert ("and canal").—(*The Lord Playfair.*)

Amendment agreed to.

Remaining clauses agreed to.

Bill re-committed to the Standing Committee; and to be printed as amended. (No. 102.)

#### STANDING ORDERS OF THE HOUSE OF LORDS.

Standing Order No. XVI. considered.

THE MARQUESS OF SALISBURY, in moving that the following alteration be made in Standing Order No. XVI.—

In place of the words "betwixt the hours of nine in the morning and five in the evening," insert the words "at any convenient time when the House is sitting either for judicial or other business,"

said: My Lords, I have heard of many occasions on which noble Lords who have not taken the oath on coming down for that purpose after the hour of 5 o'clock have been much disappointed to find they could not do so under the

*Lord Playfair*

Standing Order, and have not been able in consequence to take their seats and take part in the business of the House. There appears to be no reason whatever for so rigid a rule, and I have worded my Resolution "at any convenient time." I imagine that would be any time that the Lord Chancellor fixed; but if the noble and learned Lord sees any objection, I do not press it, though I think myself it would be better to leave it in an indefinite position.

THE LORD CHANCELLOR: My Lords, I do not think there will be any practical inconvenience. I can hardly conceive the possibility of a noble Lord insisting upon taking his seat at a time when the Lord Chancellor is engaged in his judicial business, which he would have to break off for the purpose; for, of course, unless the Lord Chancellor is on the Woolsack a noble Lord cannot take his seat. The matter is in the hands of the Lord Chancellor, but I do not think any practical difficulty will arise.

\*THE EARL OF LIMERICK said, the principal difficulty was with regard to the Tuesday Sittings. On Tuesdays on more than one occasion noble Lords have come down to take their seats and have found under the present Standing Order that they have not been able to do so. I know of three cases on last Tuesday in which noble Lords were either actually within or on their way to the House, and have been unable to take their seats.

Motion agreed to.

Standing Order to be printed, as amended. (No. 103.)

#### GOVERNMENT EMPLOYMENT FOR DISCHARGED SOLDIERS.

##### QUESTION. OBSERVATIONS.

\*THE EARL OF MINTO asked the Under Secretary of State for War whether he had had under his consideration the advisability of reserving situations in the Government offices to be open preferentially for the employment of such discharged non-commissioned officers and soldiers of good character as might be able to pass the requisite examination; and whether a Report on the feasibility and the advisability of such a scheme had been made by any Committee; and, if so, whether such Report could be laid on the Tables of both Houses? He expressed some diffidence

in addressing their Lordships' House for the first time upon so important a matter. Their Lordships were well aware that this country had a Short Service Army, which annually discharged from its ranks a large number of non-commissioned officers and men who had to shift for themselves for employment and had practically to begin life over again. Our Army was not raised on the same lines as the Armies of Continental Powers, which had conscription, and could pick and choose their men, while all we could do was to hold out inducements to the best class of men to join the Army. He did not think that any increase of money pay, infinitesimally small such as the taxpayers would be content to give, would have any appreciable effect on recruiting. What would be likely to have much more effect would be an improvement in the social standard of the soldier, greater care for his comfort, impressing on the public respect for the Queen's uniform, and, above all, the assurance that if he served a certain number of years with a good character, there would be certain Civil employments open to him, so that he need not have any fear for the future. It should be recollected that the Army had changed very much of late years, morally and educationally. The men were very much better educated, and drunkenness had greatly decreased. Still, there was a difficulty in getting people to employ discharged soldiers, who were consequently shut out from many posts for which they were well qualified. As he had said, education had done a great deal for the soldier, and drunkenness in the Army had largely diminished. The General Annual Return for the Army for 1891 contained a Return of men fined for drunkenness in each year from 1872 to 1891. He would give from that Return two examples. In 1881 the fines inflicted for drunkenness were 44,108; in 1891 they were 29,698. In other words, in 1881 the proportion was 243 to 1,000 men, while in 1891 it was only 147 to 1,000 men, the total reduction in the number of fines being 14,410 in 11 years. Their Lordships must, however, remember that the same men were fined over and over again, and, therefore, the number of men fined for drunkenness was much less than the number of fines. With regard to education, the same

Return showed that in 1879 the number of men in the Army who could neither read nor write was 7,597, or a proportion of 44 to 1,000; in 1889 it was only 3,814, or a proportion of 19 to 1,000. In 1879 the number of men of superior education in the Army was 85,566, or a proportion of 512 to 1,000; in 1889 it was 170,522, or a proportion of 854 to 1,000. He had not been able to find a Return of the number of discharged soldiers serving in Government offices, but those who so served were chiefly employed as messengers, and not at all in the higher places. There were now a very large number of non-commissioned officers, very highly educated, who were leaving the Army, and who were quite as capable of holding Civil posts as those who now held them, and he believed, in many cases, a great deal more capable. A soldier who had served his country well, holding a high-class certificate, surely had a greater claim upon the Government than any merely civilian clerk could possibly have. This was a matter which the State itself ought to take up. He was quite aware that the Admiralty, the War Office, and the Post Office had of late largely employed discharged soldiers, and had done a great deal of good in that way. He believed those who were so employed had discharged their duties very satisfactorily. But the voluntary employment of discharged soldiers in Government offices and by private employers was an entirely different thing from that recognised employment by the State which he had in view. What should be done was this: any recruit on joining the Army should be informed that, on his discharge with a good character after a certain number of years' service, and on passing a sufficient examination, he would have a Civil appointment open to him. That would put the matter on a sounder basis, and the Service upon an entirely different footing. If such an alteration were made, it need not involve any increased charge upon the Public Purse. The only loss that he could see would be of a certain amount of patronage in the Government offices. Foreign countries had recognised the great necessity of leavening a young Army with old soldiers, and they held out inducements to men to serve for 12 years on the understanding that they should receive Civil employment at the end of the time.

A Report from Colonel Douglaes Dawson, our military *attaché* in Austria-Hungary, showed that 59,641 were open to discharged soldiers. Another sent by Colonel Talbot from France showed that the most important inducement to soldiers to remain in the ranks had been not increases of pay, but the certainty afforded to well-conducted men of obtaining employment under the State. Colonel Talbot also alluded to the difference in the soldier's position in France and in this country, the uniform being always treated there with respect. Lord Vivian, Her Majesty's Ambassador at Rome, had forwarded a similar Report from Colonel Slade, showing that to provide employment for men leaving the Services with a good character was the best means of popularising and raising the moral tone of the Services by attracting a better class of men. In Foreign Armies the object, of course, was to induce men to serve on with the colours, while our difficulty was to induce men to join the Army at all. He would suggest some arrangement by which a certain number of situations in the Public Service should be reserved for old soldiers, and that those situations should be divided into two classes—upper and lower. The upper class should consist of clerkships and the better-paid offices suitable for non-commissioned officers—educated men; whilst the lower class, such as messengerships and porterships, should be given to soldiers. If such a plan were adopted and carried out, it would not only induce men to remain in the Service, but would do much to allay the discontent and discouragement which now existed in the minds of soldiers, and of non-commissioned officers especially. He begged to ask the question which he had placed on the Paper.

VISCOUNT SIDMOUTH said, he desired to put in a word for the Sister Service. While he hoped Her Majesty's Government would not hesitate to give the pledge asked on behalf of non-commissioned officers and men of the Army, he trusted they would not forget the warrant officers and good-conduct men discharged from the Navy. He would point out that it would hardly be fair for the Government to pledge themselves entirely to the Army on a question of this kind, and not give any considera-

tion to the claims of the men of the Navy. Difficult as it might be for a discharged non-commissioned officer to obtain civilian employment, it was much more so for men who had spent all their lives at sea.

THE EARL OF WEMYSS thought the noble Earl had done a public service by bringing this matter forward. It was a question of importance not only to the Services—for the men of both Services should be considered—but to the country. The English War Office was the only one in Europe where civilians ruled, and he thought that positions in that Department especially should be found for non-commissioned officers and soldiers, and even for commissioned officers who might be willing to take them. In this we should only be following the example of other countries. We endeavoured to model our Army on the German system of short service, but we left out the important element of compulsion, which was the essence of the German plan, and gave no adequate inducement to men to join the Service voluntarily. Therefore, we had a bad imitation of a Short Service Army. He hoped the noble Lord representing the War Office would give a favourable answer to the request of the noble Lord.

LORD DORCHESTER said, the subject was a very important one, and he regretted not only that the House was so scantily filled, but the absence on that occasion of two of our most distinguished Generals, and especially of the illustrious Duke, who took a deep interest in all that concerned the welfare of the Army. Hitherto the British soldier's life had been one of punishment without reward. He could say that fearlessly, having served under the Queen's colours more than 50 years ago. Why did soldiers not get any reward in the direction suggested when they left the Service? It was, in his opinion, because of Parliamentary influence and the influence of private individuals in high places. Until it was clearly understood that those who wore the Queen's livery, and who were the worst paid of Her Majesty's subjects, would have some employment on leaving the Army there would be no real inducement for men to enter the Service. If, however, such an inducement were offered, the Service would be made a hundred times more

popular than it had ever been. At one time the soldier's uniform would prevent his being allowed into Kensington Gardens, one of the Queen's Parks. With the exception of the Yeomen of the Guard and a few such corps, he hardly knew an instance where old soldiers were employed in public institutions or buildings. Certainly a sergeant who had served under him was now a gatekeeper at the National Gallery. But where there was one appointed to a public office there ought to be hundreds. The late Postmaster General, and also one of the highest officials of their Lordships' House, had done much to promote the interests of the soldier in this way; but there was room and opportunity to do much more, and he hoped the representations of the noble Earl would have the desired effect. He remembered that when he called on the late German Ambassador the door of the Embassy was always opened by an old German soldier decorated with the medals he had won serving his country. How many Members of their Lordships' House, and how many Members of the other House, selected soldiers to serve them? So far from being employed, they were rather rejected. To a great extent the remedy rested with employers. He trusted that the unpopularity of the soldiers among the classes would soon be a thing of the past, and that the public example set by the Postmaster General of the late Government would soon be followed and succeeded by the present Administrations.

THE EARL OF DUNDONALD reminded the House that in 1891 he brought before their Lordships the necessity of finding Civil employment for deserving non-commissioned officers on the expiration of their period of service. So far back as 1877 a Committee reported that a large number of Civil posts under Government could be suitably filled by discharged soldiers and sailors. That Report, however, was practically ignored by successive Governments. He hoped that this apathy on the part of the authorities would now cease. If the country could not afford to give non-commissioned officers, who were the backbone of the Army, adequate pensions on retirement, facilities ought to be given to them to enter the Civil Service. A certain number of posts ought to be kept

for them exclusively, and to obtain these posts they should be required to pass a qualifying examination only upon the recommendation of their Commanding Officer. Of course, they could not be expected to compete after their term of service with lads just fresh from school, who were crammed with every trick for passing the examinations. This would do more for the benefit of the Service than anything else that could be devised.

LORD SANDHURST considered that the discussion had been very profitable. He might inform the noble Earl who had just sat down that the Report of the Committee of 1877 had had some good effects, one of them being that since 1879 nearly all the messengers appointed at the War Office had been soldiers, and he did not believe any more civilian appointments would be made. At the Admiralty, in like manner, the messengers were old sailors. The valuable suggestions of Lord Wantage's Committee on the subject under discussion were being considered by the Secretary of State for War, as were also the proposals that had been made for keeping non-commissioned officers in the Service for a longer time. The example set by the War Office in the employment of old soldiers had been followed by the Post Office, and he should be very glad if other Public Departments would also follow it. The great Railway Companies had come forward with great public spirit, and had promised to give a large number of situations to soldiers. In last year's Queen's Regulations it was provided that official registers should be kept at the head-quarters of recruiting depôts, upon which well-conducted men who had joined the Reserve or were time-expired, and who wanted employment, could place their names; and there existed a Society known as the "National Association for Finding Employment for Old Soldiers." This Association had been eight years in existence, and did very important work. Whilst eight years ago it provided work for 184 men only, last year it procured situations for upwards of 2,600. A Departmental Committee that had recently considered the subject of the employment of soldiers as messengers in the public offices recommended that the example set by the War Office, Admiralty, and Post Office should be followed by the other great

Departments. He had explained to the House what was being done within his knowledge for the benefit of the retired soldier. He did not know of any such scheme as was mentioned in the noble Earl's question; but he could state that the Secretary of State was in complete sympathy with the noble Lords who had spoken on this subject, and would gladly do anything in his power to further the object which they had at heart.

\*THE EARL OF MINTO said, in reference to the statement of the noble Lord the Under Secretary for War, that no doubt a great deal of good was being done by the Departments and public offices mentioned, but what he wanted to make clear was that all that was an entirely different thing from making it a right; so that the time-expired soldier might look to the State as a right for employment on leaving the Service. All those voluntary employments might break down to-morrow, and that guarantee ought to be given by the State. He had also intended to point out that while a discharged soldier was still in the service of the State he ought to be allowed to count his time for pension.

LORD SANDHURST said, that was a much larger question, and he was not able to make any general statement on the subject. At the same time, he would take care to bring the point before the Secretary of State, so that the whole matter might be taken into consideration.

THE EARL OF CAMPERDOWN thought the statement of the Under Secretary would be generally satisfactory to their Lordships, but it was to be hoped that a great deal would be done in other Departments besides the War Office. He would suggest that it might be desirable that a Parliamentary Committee should be appointed to inquire into the matter to see whether the system could not be carried further. As far as that House was concerned, their Lordships had done what they could to forward the interests of old soldiers, for it had been ordered that in any junior appointments in their Lordships' House preference should be given to soldiers and sailors. One difficulty was that objection was sometimes raised to a soldier drawing his military pension when he was in Civil employment. It appeared to him—and he

*Lord Sandhurst*

thought it was a matter in which Parliament should express an opinion—that when a soldier had earned a pension by military service, he ought not to be debarred from receiving also any Civil pension to which he might subsequently become entitled in Civil Service.

THE EARL OF DUNDONALD pointed out that out of the 4,768 posts reported by Lord Wantage's Committee as suitable for discharged soldiers and sailors, only 220 had been filled with those men between 1877 and 1891.

#### HIGH SHERIFFS.

##### MOTION FOR A SELECT COMMITTEE.

THE EARL OF CAMPERDOWN moved that the Lords following be named of the Select Committee:—

E. Stanhope.	L. Leconfield.
E. Belmore.	L. Coleridge.
E. Camperdown.	L. Monk Bretton.
L. Belper.	

Motion agreed to—The Committee to appoint their own Chairman.

#### POLICE ACTS AMENDMENT BILL. (No. 27.)

Returned from the Commons with the Amendments agreed to, with an Amendment.

Commons Amendment to Lords Amendments considered (on Motion), and agreed to.

#### PUBLIC LIBRARIES ACT (1892) AMENDMENT BILL.—(No. 25.)

Returned from the Commons with the Amendments agreed to, with an Amendment.

Commons Amendment to Lords Amendments considered (on Motion), and agreed to.

#### CHOLERA HOSPITALS (IRELAND) BILL. (No. 40.)

Returned from the Commons with the Amendments agreed to.

#### DAY INDUSTRIAL SCHOOLS (SCOTLAND) BILL.—(No. 41.)

Returned from the Commons with the Amendments agreed to.

## SUPREME COURT OF JUDICATURE BILL.

[H.L.]

A Bill to amend the Supreme Courts of Judicature Acts—Was presented by The Lord Chancellor; read 1<sup>a</sup>; and to be printed.—(No. 101.)

METROPOLITAN COMMONS PROVISIONAL ORDER (ORPINGTON) BILL.  
—(No. 32.)

House in Committee (according to Order): Bill reported, without Amendment: Standing Committee negatived; and Bill to be read 3<sup>a</sup> on Tuesday, the 30th instant.

METROPOLITAN COMMONS PROVISIONAL ORDER (BANSTEAD) BILL.  
+ —(No. 51.)

Order of the Day for the House to be put into Committee, read, and discharged.

OYSTER AND MUSSEL FISHERY PROVISIONAL ORDER CONFIRMATION BILL [H.L.].—(No. 63.)

Read 3<sup>a</sup> (according to Order), and passed, and sent to the Commons.

COMMONS REGULATION PROVISIONAL ORDER (WEST TILBURY) BILL.

Brought from the Commons; Read 1<sup>a</sup>; to be printed; and referred to the Examiners. (No. 104.)

ELECTRIC LIGHTING PROVISIONAL ORDER (No 1) BILL.

Brought from the Commons; Read 1<sup>a</sup>; to be printed; and referred to the Examiners. (No. 105.)

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.

Brought from the Commons; Read 1<sup>a</sup>; to be printed; and referred to the Examiners. (No. 106.)

House adjourned at ten minutes before Six o'clock, to Tuesday, the 30th instant, Eleven o'clock.

## HOUSE OF COMMONS,

*Thursday, 18th May 1893.*

## PRIVATE BUSINESS.

WATER PROVISIONAL ORDERS (No. 2) BILL.—(No. 338.)

MR. EDWARDS (Radnorshire) had the following Notice of Motion on the Paper :—

“That it be an Instruction to the Committee on the Water Provisional Orders (No. 2) Bill to strike out of the Bill the Provisional Order empowering the Llandrindod Wells Water Company to raise additional capital.”

MR. SPEAKER: The other day the House sanctioned the Second Reading of a cluster of Bills of which this Bill forms one. To move an Instruction to the Committee that they have power to strike out one whole Bill is quite an unprecedented exercise of the right of Instruction, and would not be in Order. The hon. Gentleman, however, has got his remedy. The time for petitioning has not expired yet; and if a Petition is presented it will go, I understand, before the ordinary Committee, and will be dealt with as that Committee thinks fit.

## ORDERS OF THE DAY.

POLICE ACTS AMENDMENT BILL.  
(No. 103.)

Lords' Amendment considered.

SIR A. ROLLIT (Islington, S.), in moving that the Lords' Amendment to this Bill be considered, said, the Amendment had been introduced by the Home Office for the purpose of enabling different and more beneficial investment of funds intended for pension purposes.

Lords' Amendment agreed to.

DAY INDUSTRIAL SCHOOLS (SCOTLAND) BILL.—(No. 158.)

Lords' Amendments considered.

MR. D. CRAWFORD (Lanark, N.E.), in moving that the Lords' Amendments to this Bill be considered, said, the only alterations which had been made in



another place were one or two drafting Amendments, with the addition of clauses proposed by the Scotch Office. One was to the effect that Magistrates would always sit in open Court, and the other was a saving clause in regard to a Glasgow Bill.

Lords' Amendments agreed to.

### QUESTIONS.

#### THE SCOTCH FISHERY LAWS.

**MR. WEIR** (Ross and Cromarty): I beg to ask the Lord Advocate whether he is aware that Lord Cromarty's gamekeeper and two watchers stopped a crew of Ullapool fishermen on the 13th ultimo at 11 p.m. when fishing for bait, at a spot which for the past 60 years has been regularly frequented by the fishermen for that purpose; that the gamekeeper seized a small sea trout which was in the net and threw it into the boat, with the object of securing a conviction against them for poaching for sea trout; and whether he will take any action in the matter?

\***THE LORD ADVOCATE** (Mr. J. B. BALFOUR, Clackmannan, &c.): This question appears to relate to an occurrence which took place at the mouth of the Ullapool River—the gamekeeper and watchers were not servants of Lord Cromarty, but of the sporting tenant, who is about to institute proceedings against two of the fishermen, charging them with contravention of the Act of 7 & 8 Vict. c. 95. The whole facts of the case will, doubtless, be elicited at the trial, a report of which I have asked to be sent to me, and I shall then see whether any further action is called for.

#### BARRY GOLF LINKS.

**MR. LENG** (Dundee): I beg to ask the Secretary of State for War whether any opinion has been received from the Law Officers of the Crown in Scotland, relative to the public rights on the foreshore of Barry Links; whether the Memorial from the Commissioners of Carnoustie, respecting the danger to the lieges from artillery practice, has been considered; and what decision has been arrived at with regard to the same?

*Mr. D. Crawford*

\***THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): The opinion of the Lord Advocate has been received. It is to the effect that the War Department has power to make bye-laws to regulate the use by the public of the foreshore on Barry Links. The Memorial from the Commissioners of Carnoustie has been considered, and it has been found that no new situation as regards foreshores has been created by the recent purchase, seeing that artillery fire across them has gone on for several years past. Bye-laws will be made.

#### ST. HELENA.

**ADMIRAL FIELD** (Sussex, Eastbourne): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government or Secretary of State have considered the state of things existing in St. Helena, as revealed in the Report No. 63 for 1891, recently issued, in which the Governor states that his gloomy forebodings in 1890 were more than justified by the year under review; and whether, in view of the general financial depression and the serious fall in the Revenue, the serious character of the Census Return, which shows an excess of females over males of about 16 per cent., and the state of things described in the Report, the Secretary of State will consider the advisability of assisting some of these people to emigrate to South Africa who may desire to do so, and generally to consider whether the condition of the island demands more attention than it appears to have received?

**THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar): The melancholy state of things existing in St. Helena has received the most anxious consideration of the Secretary of State. An account of the efforts which have been made ever since the shipping began to decline, more than 20 years ago, to find employment for the people by developing the natural resources of the island will be found in the Annual Report for 1889. Unfortunately, these efforts have not been successful; and the only remedy for the distress is, probably, to be found in emigration. In 1891, through the kindness of the Admiralty, 75 persons were conveyed to

the Cape by a troopship; and perhaps, if a similar opportunity occurs again, the Admiralty will allow some more emigrants to be taken.

**ADMIRAL FIELD:** Will the Government assist in emigrating these poor people, and, as was done on the former occasion, send a man-of-war?

**MR. S. BUXTON:** We are in communication with the Admiralty on the subject.

#### POSTAL CHARGES TO ST. HELENA..

**ADMIRAL FIELD:** I beg to ask the Postmaster General whether his attention has been called to the Report on St. Helena, No. 63, 1891, by the Governor, and the postal charges therein complained of; and whether he will consider the desirability of relieving these people of the present rates of 6d. per  $\frac{1}{2}$  oz. on letters to the United Kingdom, with still higher rates to other parts of the world, and notably 1s. 2d. per  $\frac{1}{2}$  oz. on letters to Mauritius, together with other postal grievances to which attention has been called in the said Report?

**THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.):** My attention has been called to the Report of the Governor of St. Helena. The policy of the Post Office has been to allow the Colonial Postal Authorities to fix their own postal rates on homeward correspondence; and when the letter postage from this country to places abroad (including St. Helena) was reduced to 2½d. the  $\frac{1}{2}$  oz. the Colonies were left free to maintain or to lower their previously existing rates. St. Helena elected to maintain the high rates mentioned in the question, and I should not feel justified in putting pressure upon the Colonial Authorities, or in proposing a considerable subsidy to the Colonial Post Office, in order to induce them to lower the rates.

**ADMIRAL FIELD:** Will the right hon. Gentleman send a copy of that answer to the Governor who has made this very strong Report, so that he may know where the fault rests?

**MR. A. MORLEY:** That is rather a matter for the Colonial Office.

#### NATIONAL SCHOOL WINDOWS.

**MR. JEFFREYS (Hants, Basingstoke):** I beg to ask the Vice President of the Committee of Council on Educa-

tion whether he is aware that some of Her Majesty's School Inspectors have reported that diamond panes should be removed from national school windows and be replaced by ordinary square glass windows; whether he has considered that this would cause great expense to the school managers; and whether any special instructions have been issued by the Council to the Inspectors on this matter?

**THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham):** The Department have for many years past recommended that diamond or leaded panes should be avoided, as they obstruct light to some extent, are not always impervious to weather, and are not easy to keep clean. But their use is not objected to in moderation—for example, in the upper parts of the windows. No special instructions have been issued to Inspectors on the point. In some cases Inspectors have probably recommended the replacement of diamond by ordinary panes, on the above grounds, where the existing windows were not weathertight, or let in insufficient light.

#### TRADES UNIONS AND TECHNICAL EDUCATION.

**MR. ALBAN GIBBS (London):** I beg to ask the Vice President of the Committee of Council on Education whether objections have been raised by Trades Unions against the instruction in technical schools of persons not connected by their ordinary employment with the industry about which they desire to be taught, and whether the managers of any such schools, either in London or elsewhere, have consented by agreement or tacit understanding, or in any other way, to exclude students unconnected with the trade about some branch of which instruction was being given; and in view of the fact that these technical schools were designed to give instruction to all persons who might desire it, and that the Charity Commissioners have allotted large sums derived from charitable sources to founding and supporting such schools, whether he will take steps to secure the open use of these schools by all who may wish to attend them?

**MR. ACLAND:** I believe that the objections raised by Trade Unions have considerable weight. It is not the

function of technical education, as understood in England, to teach trades, but rather to supplement workshop practice by a knowledge of scientific or artistic principles connected with certain industries. That being so, it may be reasonably held to be undesirable to admit to certain kinds of technical classes those who have not the foundation of workshop practice. If a number of amateurs were admitted to such classes, the teaching given would have to be distorted, or even altogether largely changed. It is mainly a question of organisation for the Governing Bodies concerned. I am not aware of any reason for interference.

#### TELEGRAPH SERVICE TO URLINGFORD.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Postmaster General whether he can arrange to have the telegraph extended to Urlingford, County Kilkenny?

MR. A. MORLEY: I am glad to inform the hon. Member that the extension can be granted.

#### PERIODICAL INSPECTIONS OF MILITARY ARMS.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War whether the stated intention of the War Office has been carried out, and the whole of the small arms in the hands of troops at home are periodically tested by viewers specially detached from the inspection staff—once a year in the case of Regular troops, once in two years in that of the Militia, and once in three years in that of the Volunteers; how often such inspections have been made in each case; and what are the arrangements as to the inspection of these arms abroad?

\*MR. CAMPBELL-BANNERMAN: Inspections of small arms are carried out annually in the case of troops at home—once every two years in the case of the Militia, and once every three years in the case of the Volunteers. No special arrangements have yet been made as to the troops in the Colonies, and the Indian Government makes its own arrangements.

*Mr. Acland*

#### SIR THOMAS ESMONDE AND HIS TENANTS.

MR. WILLIAM JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware, as has been stated in *The Daily Express* of 10th May, 1893, that cattle, the property of Mr. Matthew Bates, Primrose Lodge, Carnew, have been seized for rent due to the hon. Member for West Kerry; whether he is aware that an ejectment has been taken out by the same landlord against the orphan children of the late John Bolton, of Gorey; and that these two families are Protestants, and have been recently visited by severe family affliction; and whether he will refuse to allow the Forces of the Crown to be employed in carrying out these legal processes?

MR. J. MORLEY: I am informed that the facts are substantially as stated in the question. It is not anticipated that the Forces of the Crown will be requisitioned for the ejectment referred to, though if such a requisition should be made I shall have no choice in the matter.

MR. JOHNSTON: Is it not a fact that the Forces of the Crown will not be required owing to the circumstance that these people are Protestants?

SIR THOMAS ESMONDE (Kerry, W.): By the indulgence of the House I may be allowed to state, with reference to the question of the hon. Member for South Belfast, that in the case of Mr. Bates his holding is an agricultural holding, the rent of which has been fixed by arbitration. The old rent was £41. The arbitration rent is £25. The Poor Law valuation of the holding is £29, and the acreage 75 acres. When the arbitration rent was fixed in 1889, arrears to the amount of £151 14s. 2d. were wiped out. In addition to the rent for which the Sheriff lately seized, Mr. Bates still owes £26 4s. 2d.—over a year's rent. I may add that in this case proceedings have been allowed to lie over for several months. Seizures were being made at the suits of other creditors, some of whom, I understand, are co-religionists of Mr. Bates. The seizure to which the question refers was not made at my suit only, but at the suit of another creditor also. In the case of the representatives of John Bolton, the holding is

a town holding, consisting of a house, yard, and garden situated in the main street of the town of Gorey, the rent of which is £18 9s. In 1886, at the late Mr. Bolton's request, I spent £200 in improving his house. There is now due on the holding £97 12s. 3d., over five years' rent. I may add that I offered to take £50 in lieu of arrears, and to reduce the rent to £15 per annum; but that offer was not accepted.

#### ST. CLEMENT'S, KENSINGTON.

MR. A. C. MORTON (Peterborough): I beg to ask the Secretary of State for the Home Department whether he is aware that the Lord of the Manor of Fulham (the Bishop of London) in 1869 gave five acres of the waste of the manor to the Vicar of St. Clement's, Kensington, for building thereon a vicarage and conveniences without the consent of the commoners; and that since that time, 1869, nearly the whole of the five acres, with one rood and eleven perches of the waste of the manor added afterwards, has, with the Bishop's consent, been converted into a building estate, producing £360 per annum; and whether the Lord of the Manor was acting within his legal rights; and, if not, what steps the Government propose to take to have the land returned to the commoners?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I am informed that the five acres referred to, being part of the waste of the Manor of Fulham, was granted in 1869 to the Vicar of St. Clement's as glebe by the Lord of the Manor (the Bishop of London), with the concurrence of the commoners (as represented by the Homage Jury), although such consent is not required by the Act 51 Geo. III., c. 115, under which the grant was made. The land having thus become glebe, it was subsequently leased for building purposes. I am advised that the Lord of the Manor was within his right in making the grant in question.

SIR A. BORTHWICK (Kensington, S.): May I ask whether it is the case that the Vicar, Mr. Dalgarno Robinson, although the Bishop had full power to grant the land, has compensated the commoners to the full extent of their interest—£300; whether it is true that,

on the parish having to make up the North Pole Road for about 350 feet, the Court Leet, who were responsible, had no money, and the Vicar paid the expenses on condition of their surrendering their rights over the rood and few perches in question, which offer was gladly accepted; whether the public have no right to Wormwood Scrubbs, but only the Lord and the commoners, about 80 of them; and whether it is not the case that, owing to the persistent efforts of Mr. Dalgarno Robinson, both the Greater and the Little Scrubbs have been secured to the public for ever?

\*SIR CHARLES DILKE (Gloucester, Forest of Dean): I rise to Order. Is the hon. Baronet in Order in putting a series of questions which contain statements of facts as to which there is a dispute? I myself take an entirely different view of the matter.

MR. SPEAKER: If the hon. Baronet will take upon himself the responsibility of the statements he can ask whether those statements are true.

SIR A. BORTHWICK: I am not in any way responsible for the statements, but I simply ask whether they are true?

MR. SPEAKER: The better course would be for the hon. Baronet to ascertain the facts, or else to give notice of his question.

MR. A. C. MORTON: I am afraid the Home Secretary did not quite catch the point of my question—why land which had been given for a vicarage has since been converted into a building estate; and whether it is legal that land given for one purpose should be used for another purpose?

GENERAL GOLDSWORTHY (Hammersmith): Mr. Robinson has told me himself that he paid the money.

MR. SPEAKER: That is not putting a question.

MR. ASQUITH: I have no knowledge of the facts stated by the hon. Baronet, and am totally unable to answer his question; but if the hon. Baronet puts a question down on the Paper I will endeavour to answer it. As to the last question, I am informed that the land has been granted with the consent of all the persons interested, and that whatever has been done has been perfectly legal.

### TRIAL BY JURY IN BENGAL.

**MR. PAUL** (Edinburgh, S.): I beg to ask the Under Secretary of State for India whether the Government of India will be directed to consider the desirability of carrying out the recommendation made by two members of the recent Commission that trial by jury should be extended to all Sessions cases in the district of Bengal, where it now partially prevails; and whether the Government will consider the desirability of introducing it as an experiment into those districts where it is not now in force, as the Commissioners have unanimously found it to have been successful over so large an area?

\***THE UNDER SECRETARY OF STATE FOR INDIA** (Mr. GEORGE RUSSELL, North Beds.): A further Despatch on the recommendations contained in the Report of the Commission is expected from India, and the Secretary of State must reserve any expression of his opinion until that Despatch has been received and considered.

### WAGES IN DOCKYARDS AND ARSENALS.

**MR. JOHN BURNS** (Battersea): I beg to ask the Secretary of State for War when the Report on Wages and Conditions of Labour of Arsenal and Dockyard Labourers will be presented to the House?

\***MR. CAMPBELL-BANNERMAN**: This Report has now been completed for the consideration of the Government, and I hope no great delay will occur before that consideration is given. It is not a Report which can be, according to ordinary practice, presented to the House.

### CHARGES AGAINST IRISH CATHOLICS.

**COLONEL SANDYS** (Lancashire, S.W., Bootle): I beg to ask the Secretary of State for the Home Department whether he is now able to give any further information regarding the young woman, in charge of two nuns, who in the month of March leaped overboard from the steamer *Waterford* between Ireland and England, intending to commit suicide, as to whether she was actually insane or not; and, if so, how this conclusion was arrived at; whether he is aware that a young woman named Mary Breen, the servant of a Methodist minister in Dungannon, County Tyrone,

who had informed the priest there that she could no longer remain in the Roman Catholic faith, was forcibly taken by three men from her master's house on 7th July, 1891, and cannot now be found; and whether he will make inquiries into the matter?

**MR. ASQUITH**: I am unable to give any further information on the first part of this question beyond that which was communicated to the hon. and gallant Member by my directions on the 21st of April last, when I informed him that I had ascertained that the young lady had been duly certified to be insane. I am not aware that Mary Breen ever informed the priest that she could no longer remain in the Roman Catholic faith; but, so far from her having been removed forcibly by three men from her master's house in July, 1891, it appears from inquiries made at the time by the Irish Government that she went away with her father of her own free will. I am happy to be able to inform the hon. and gallant Member that Mary Breen was seen at her own house on April 10 last, and then expressed her intention of proceeding to America in two or three weeks' time, having received her passage money from a brother who is already there. I do not think any further inquiry as to either of these cases is necessary.

**MR. SEXTON** (Kerry, N.): I beg to ask whether it is not the fact, as stated in a letter from the Bishop of Waterford, that the certificate of insanity was signed, not only by the local medical practitioner, but by the resident medical officer of a large Government institution, who is a Protestant, and one of the highest authorities on mental disease?

**MR. ASQUITH**: I believe the facts are as stated by the hon. Member; but I have no information as to the religious faith of the medical man.

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### MARKS OF ORIGIN.

**MAJOR RASCH** (Essex, S.E.): I beg to ask the President of the Board of Trade if, having regard to the injury inflicted on poor basket makers in Essex by the importation of foreign baskets, frequently made by prison labour, and their sale as of English make, he will give effect to the prayer of workers from all parts of the country addressed to him by deputation on 6th May, and introduce

legislation to enable purchasers to distinguish between home-made and foreign products ?

**THE PRESIDENT OF THE BOARD OF TRADE** (Mr. MUNDELLA, Sheffield, Brightside): No, Sir. I have no intention of introducing legislation to compel the marking of the place of origin on all goods imported into this country ?

#### ELECTORAL PRIVILEGES OF CIVIL SERVANTS.

**MR. MACDONALD** (Tower Hamlets, Bow): I beg to ask the Solicitor General which Acts of Parliament deal with the electoral privileges of Civil servants ; and what is the section of any Act from which officials of Civil establishments derive their authority for restricting the actions of their subordinates who desire to take part in public affairs ?

**THE SOLICITOR GENERAL** (Sir J. RIGBY, Forfar): There are no Acts of Parliament unrepealed that deal specially with the electoral privileges of Civil servants. Whatever regulations are made with reference to the action of subordinate officials in the Civil Service, are made not under the authority of any section of an Act of Parliament, but under the inherent authority of Heads of Departments to make regulations for the discipline and government of those under their control.

#### THE CASE OF MARY DYMOCK.

**MR. MACDONALD**: I beg to ask the Secretary of State for the Home Department whether he will inquire into the circumstances in which a sentence of seven years' penal servitude was passed at Stirling two weeks ago on Mary Dymock for throwing her illegitimate child into a river, she being at the time exhausted from a long night walk, and almost desperate and starving ; and whether, if the circumstances justify it, he will advise a reduction of the sentence ?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton): This question should have been addressed to me. I will give any Petition presented to me on behalf of the person referred to the most anxious consideration. I am sure the hon. Member will see I cannot say more than that.

#### BOARD OF AGRICULTURE PUBLICATIONS.

**MR. LENG**: I beg to ask the President of the Board of Agriculture whether, considering the importance of making the valuable Reports received by the Board on such subjects as rust or mildew on wheat, and on dairy farming in Denmark, Germany, and Sweden, as largely available as possible, he will lay them upon the Table of the House ; and whether, either through the newspapers, free libraries, or village schoolmasters, he will give a larger circulation to the useful leaflets prepared by the Board on matters of general agricultural interest ?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. H. GARDNER, Essex, Saffron Walden): I shall be happy to give effect to the wish expressed by my hon. Friend, and to lay upon the Table the two Reports to which he refers. With regard to the leaflets issued by my Department, I can only say that I am anxious to secure for them as wide a circulation as possible amongst those concerned ; and I will endeavour to arrange for them to be regularly supplied to any newspapers, free libraries, or village schoolmasters, who may signify their desire to receive them, and whose names are not already on our circulation list.

#### "THE LABOUR GAZETTE"

**MR. LENG**: I beg to ask the President of the Board of Trade whether copies of *The Labour Gazette* will be issued to such free libraries as may apply for them, or whether any other means will be taken to bring the information it contains under the notice of the labouring classes ?

**MR. MUNDELLA**: *The Labour Gazette* has been sent gratuitously to free libraries, mechanics' institutes, Trades Unions, co-operative societies, workmen's clubs, and other similar institutions of a non-political character.

**MR. JACKSON** (Leeds, N.): Will the distribution be continued ?

**MR. MUNDELLA**: Yes, Sir.

#### WOOLWICH BARRACKS.

**MR. ABEL SMITH** (Herts, E.): I beg to ask the Secretary of State for War what is the sanitary condition of the Grand Depot Barracks at Woolwich ; and whether the medical officer of the

district has reported on the state of the drains?

**\*MR. CAMPBELL-BANNERMAN:** No Reports have been received as to the Grand Depot Barracks at Woolwich being in an insanitary condition; but the system of drainage of the Royal Artillery Barracks is reported to be old and defective. A reconstruction of the whole system is under reconsideration. The general health of the troops has been reported to be good.

**MR. ABEL SMITH:** Will the right hon. Gentleman press this work forward? I am told that some of the existing drains are 100 years old.

**MR. CAMPBELL-BANNERMAN:** My experience is that drains 100 years old are sometimes better than those of recent construction.

#### THE ROYAL IRISH CONSTABULARY FORCE FUND.

**MR. MAINS (Donegal, N.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether extra clerks are at present engaged in each County Inspector's office in Ireland, with a view of immediately winding up the benefit branch of the Royal Irish Constabulary Force Fund, and distributing it amongst the subscribers to it, who are unanimous in having it wound up; and if the fund is about to be wound up, will pensioners who have contributed to it for lengthened periods, but who have ceased to contribute on the death of their wives and relatives, be refunded the amount they have paid into it?

**THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne):** No distribution of assets of the benefit branch of the Constabulary Force Fund is contemplated, or any winding up other than that already announced by me on more than one occasion in this House—namely, by meeting its obligations as they become due. The clerical work now being performed at County Head Quarters has reference solely to the collection of certain items of information for the Commissioners of the National Debt, in whose hands the management of the fund is being placed.

*Mr. Abel Smith*

#### HALF-PAY COLONELS.

**SIR FREDERICK SEAGER HUNT (Marylebone, W.):** I beg to ask the Secretary of State for War whether, with reference to his statement to the effect that the Government have thought it desirable to make some addition to the pay of Colonels on half-pay during their period of suspended animation, he is now in a position to inform the House what addition it has been decided to make; and whether the additional payment will take effect from the commencement of the present financial year or from a prior date?

**\*MR. CAMPBELL-BANNERMAN:** I am sorry for the delay which has occurred in this matter; but if the hon. Gentleman will repeat the question after the Recess, I shall be able to give him a positive answer.

#### GUN LICENCES IN IRELAND.

**MR. GILHOOLY (Cork Co., W.):** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. William Cotter, P.L.G., residing at Breenymore, Bantry, has applied to Captain Welsh, R.M., for a licence to carry a gun on his farm, but has been refused; and, if so, will he inquire what are the grounds for the refusal?

**MR. J. MORLEY:** I learn that Mr. William Cotter has been refused an arms licence as stated. The power of granting or withholding such licences is vested by law in the Resident Magistrate of the district, and with this discretionary power the Government cannot interfere. Possibly the refusal in this instance may have had something to say to the state of the district at the time when application was first made some years ago. Of course, there is nothing to prevent Mr. Cotter from renewing his application now if he should see fit to do so.

**MR. GILHOOLY:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. John Cotter, of Barna, Skibbereen, has applied to Captain Welsh, R.M., for a licence to carry a gun on his farm; that Dr. Lewis, J.P., gave Mr. Cotter a letter of recommendation to Captain Welsh; but that Mr. Cotter was refused the licence; and will he inquire on what grounds the licence was refused?

MR. J. MORLEY : I am informed that the Resident Magistrate has no recollection of having received an application from Mr. John Cotter. It also appears that the local Justice named cannot recollect having recommended Mr. Cotter for a licence.

#### THE HANSARD UNION PROSECUTION.

† MR. POWELL WILLIAMS (Birmingham, S.) : I beg to ask the Secretary to the Treasury what fees in addition to salary are payable to the Solicitor General, under the new system recently introduced, in connection with the prosecution of Bottomley and others at the last Old Bailey Sessions; and how the amount of such fees compares with the amount that would have been payable under the former system?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) : The Solicitor General's fees in the Hansard Union prosecution amount to about £1,650. I am informed that in this particular case the same, or very nearly the same, amount of fees would have been payable under the old as under the new arrangement.

MR. POWELL WILLIAMS : Is it not the fact that there is a considerable increase in the amount of the fees payable under the new system over what was payable under the old system?

SIR J. T. HIBBERT : There are fees payable under the new system which were not payable under the old system; but that point does not arise in this case.

MR. GERALD BALFOUR (Leeds, Central) : I beg to ask the Secretary to the Treasury what is the total amount of the costs, charges, and expenses incurred in the recent prosecution of Sir Henry Isaacs, Mr. Horatio Bottomley, and others, in connection with the affairs of the Company known as the Hansard Publishing Union, Limited; and out of what Vote such costs, charges, and expenses will be paid?

SIR J. T. HIBBERT : The exact amount of the costs cannot yet be stated; but they are estimated to amount to about £6,200, and will be paid from the Vote for Law Charges.

MR. T. M. HEALY (Louth, N.) : Is the Treasury in a position to certify the costs of any particular trial in England or Ireland?

SIR J. T. HIBBERT : I cannot answer that question without notice.

#### ROYAL IRISH CONSTABULARY INSPECTORS.

MR. T. M. HEALY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland will he issue instructions to have the actual cost of foraging troop and transport horses in the Royal Irish Constabulary duly vouched and shown in the public accounts like other items of expenditure; how many of the 267 County and District Inspectors of the Royal Irish Constabulary in receipt of rent for a private house have their office in a barrack, while they draw rent for an office elsewhere; how many of such offices in barracks are wholly or partially furnished with articles of barrack furniture paid for by the public; how many County and District Inspectors in receipt of an annual allowance of £50 for a private horse and £45 for a servant, while residing away from the station, keep their horses, cars, hay, straw, &c., on the barrack premises; and on what grounds was it stated that sergeants in charge of stations had their stationery allowance lately doubled?

MR. J. MORLEY : As regards the first paragraph, I see some disadvantage in this sort of contract with officers. There is this to be said, however, against the suggestion of the hon. Member—namely, that it would result in the loss of control over the expenditure. The allowance covers not only feeding, but also shoeing, medicine, and stable requisites; and if these were purchased and paid for separately, the total cost would, it is considered, be greatly increased. I will make further inquiry, however, into the matter. No allowance for an office elsewhere than in barracks is drawn by any officers, except eight District Inspectors, and the Inspector General has no reason to believe that any of these do not provide offices in their own houses. No articles of distinctively office furniture are supplied by the Constabulary Department. In some instances articles of furniture were supplied by the Board of Works in barracks built by that Department; the practice, however, has long since been discontinued, although the few articles so supplied were not removed. The Inspector General cannot reply to the fourth



paragraph, but I have requested him to make inquiry into the matter. He informs me that in some instances, however, he is aware that it is most difficult for officers to procure suitable stabling in the town where stationed, and some are compelled to live in lodgings and cannot obtain houses. In cases where such difficulty exists officers have always been allowed to keep their horses on barrack premises. It was not stated that the stationery allowance for sergeants in charge of stations had been lately doubled. The increase was granted from April 1, 1882, whilst the increase in the officers' allowance did not take effect till December, 1890.

MR. T. M. HEALY : We want to get the basis on which these officers propose to commute their allowances after the Home Rule Bill is passed.

MR. J. MORLEY : I quite understand that, and the point is being borne in mind.

#### THE LEITRIM MAGISTRACY.

X MR. P. A. M'HUGH (Leitrim, N.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that there is no Nationalist holding the Commission of the Peace for the County of Leitrim resident in the Petty Sessions district of Drumkeeran, in which 94 per cent. of the inhabitants are Nationalists ; has a Nationalist Magistrate ever adjudicated in the Petty Sessions Court of Drumkeeran district ; has the Lord Chancellor of Ireland been requested to appoint to the Commission of the Peace for the County of Leitrim a Nationalist residing in the district ; has the Lord Chancellor up to the present refused to comply with the request, and why ; and will the Lord Chancellor consider the advisability of appointing a Nationalist in the district to the Commission of the Peace for the County of Leitrim ?

MR. J. MORLEY : It is probably the fact, as I am told, that no Nationalist Magistrate adjudicates in the Petty Sessions district referred to ; but the Lord Chancellor has no authentic information on the subject. The Lord Chancellor has been asked to appoint one gentleman to the Commission in this district ; but he has not appointed him, and he has asked me to say that, as the result of inquiries, he is compelled to decline to

appoint the gentleman in question. The Lord Chancellor will be glad to consider on his own responsibility the claims of any gentleman whose name may be submitted to him, and to appoint him if he ascertains him to be fit.

#### THE DUTIES OF PROCURATORS FISCAL

MR. A. C. MORTON : I beg to ask the Lord Advocate whether he is aware that Procurators Fiscal are in the habit of employing clerks to make inquiries which should be made by themselves ; and, if so, will he see that properly-qualified persons are employed to make these secret and important inquiries ?

\*MR. J. B. BALFOUR : By the Act of 40 & 41 Vict., c. 50, Section 7, Fiscals were authorised to appoint Deputes with the consent of the Lord Advocate and Sheriff, and I believe that this provision has been generally taken advantage of. It is, however, clearly pointed out in the Crown Office Orders issued to Fiscals that the statutory provision for the appointment of duly-qualified Deputes is not intended in any way to deprive the Public Service of the advantage of the personal discharge by Fiscals of the duties of their office, but only to provide for cases in which it is impossible for them to do the work themselves. It may sometimes be necessary to employ the services of clerks, where neither the Fiscal nor his Depute can undertake the work ; but successive Lord Advocates have done everything in their power to impress upon Fiscals the importance of personal discharge of duty. If any such practice exists as is pointed out in the question, I shall be glad to receive information in regard to particular cases of it, and shall cause them to be inquired into.

#### SIR T. BRADY'S PENSION.

MR. FIELD (Dublin, St. Patrick's) : I beg to ask the Secretary to the Treasury whether the Government will carry out their promise respecting Sir Thomas Brady's pension, as requested by all sections of the Irish Members ?

SIR J. T. HIBBERT : I am not aware that any promise has been made, except that Sir Thomas Brady's case would be again carefully considered. The Treasury have made a proposal which they hope shortly to be able to communicate to the House.

Mr. J. Morley

**MR. HANBURY** : Have the Treasury power to increase a pension ?

**MR. CARSON** (Dublin University) : Is it the fact that all sections of the Irish Party agree in supporting the suggestion for an increased pension ?

**SIR J. T. HIBBERT** : I think all sections are agreed on that.

**MR. MACARTNEY** (Antrim, S.) : No ; I shall oppose any proposal which the right hon. Gentleman may make to increase the pension.

#### THE TRALEE AND DINGLE RAILWAY.

+ **SIR THOMAS ESMONDE** : I beg to ask the President of the Board of Trade if he is aware that last week another dwelling-house, near Camp, County Kerry, was set on fire by sparks from an engine of the Tralee and Dingle Railway, and burned to the ground with everything in it ; whether, in the event of the owner of the house obtaining damages against the Tralee and Dingle Railway, the ratepayers of the barony will have to pay the damages ; and whether these ratepayers have any control over the management of the line ?

**MR. MUNDELLA** : I am informed by the company that no house was set on fire or burnt last week by the company's engine. I can express no opinion as regards the liability of the company or the ratepayers of the barony. The railway is authorised by an Order of the Lord Lieutenant in Council, and with the constitution of the company I have nothing whatever to do.

#### EXCESSIVE RAILWAY RATES IN IRELAND.

+ **MR. COLLERY** (Sligo, N.) : I beg to ask the President of the Board of Trade whether he has had any communication with the Midland Great Western Railway Company of Ireland relative to a refund of the excessive charges put on by that company in January last ; whether he is aware that those charges amounted in some cases to 40 and 50 per cent. on certain goods between Dublin and Sligo ; whether those rates have been voluntarily withdrawn by that company, or whether it was owing to competition from a competing line ; and if any or all those increased charges are still continued on goods to intermediate stations where no competition exists ; and whether those

charges are regulated by mileage rates, or by such as the circumstances of the case will permit them to make ?

**MR. MUNDELLA** : I have received a communication from the company informing me (1) that where rates have been reduced since the 2nd January, refund is made in all cases where applied for by persons paying freight ; (2) rates (Dublin and Sligo) put out on the 2nd January contained increases varying from 1 to 29 per cent., and also decreases from 1 to 30 per cent. ; (3) Dublin and Sligo rates have since been reduced, and now stand, compared with 1892, increases varying from 3 to 20 per cent., and decreases from 5 to 35 per cent. With regard to the last question of the hon. Member, competition is undoubtedly an element in fixing a rate.

#### THE ADMINISTRATION OF JUSTICE IN BENGAL.

**MR. JEFFREYS** : In the absence of the hon. Member for the Faversham Division of Kent, I beg to ask the Under Secretary of State for India whether the Judges of the High Court of Calcutta have protested against the interference of the Government of Bengal with the administration of justice ; and whether any Papers on the subject can be laid upon the Table ?

\***MR. GEORGE RUSSELL** : The matter referred to is now under the consideration of the Secretary of State in Council ; and no Papers on the subject can be laid upon the Table.

#### LIMITED LIABILITY COMPANIES.

**MR. BARROW** (Southwark, Bermondsey) : I beg to ask the President of the Board of Trade whether he has further considered the subject of the public registration of mortgage debentures created by Limited Liability Companies ?

**MR. MUNDELLA** : Yes, Sir, I have ; and I am now in communication with the Lord Chancellor with reference to a Bill dealing with the subject.

#### INVERNESS PRISON.

**MR. WILLIAM WHITELAW** (Perth) : I beg to ask the Secretary for Scotland if he can state how many prisoners, male and female, were in confinement in Inverness Prison each

day between 8th May and 15th May, both inclusive?

SIR G. TREVELYAN: In reply to the hon. Member, the numbers in Inverness Prison on 8th to 15th May, both dates inclusive, were:—8th May, 1893, 34 males, 1 female; 9th, 37 males, 1 female; 10th, 38 males, 2 females; 11th, 37 males, 2 females; 12th, 38 males, 3 females; 13th, 33 males, 3 females; 14th, 33 males, 3 females; 15th, 30 males, 3 females. The accommodation of the prison consists of:—For males, 27 ordinary cells, 3 large cells (for three prisoners each), 1 infirmary cell, and 1 punishment cell, accommodating in all 38 male prisoners. For females:—9 ordinary cells, 1 large cell (for three prisoners) and 1 infirmary cell, accommodating in all 13 females. From the 11th to 15th, 3 prisoners were associated on medical grounds; and when the high number of males on the 9th was reported in the weekly Return to the Commissioners, the Governor submitted the names of three long-sentence prisoners for removal.

#### PRECAUTIONS AGAINST CHOLERA.

MR. BURNIE (Swansea Town): I beg to ask the President of the Local Government Board if he has considered the desirability of utilising the pilots round the coasts of the United Kingdom as a cordon or line of defence against the introduction of cholera through our sea-ports; and, if so, will he state what decision has been arrived at?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): Assistance is frequently rendered by licensed pilots in connection with precautions against the introduction of cholera, and the assistance is fully appreciated. But I do not see that the pilots can be utilised as a cordon, or line of defence, as suggested.

#### THE MURDER OF GEORGE ROLT AT SPALDING.

MR. LOPES (Grantham): I beg to ask the Secretary of State for the Home Department whether, when he recently ordered the release of Elizabeth Ireland, who was sentenced in 1879 to penal servitude for life for the wilful murder of George Rolt at Spalding, he also took

into his consideration the case of the two men, Henry Howitt and John Vessey, who were convicted of the same crime?

MR. ASQUITH: Yes; the case of all three persons concerned in the outrage was fully considered; but in advising the release of Elizabeth Ireland on licence I had special regard to the fact that the violence which caused the death of Rolt was inflicted by the men, and not by the woman, and that she had during her punishment been certified to be insane, and had passed nearly three years in Broadmoor. The case of the men referred to will, under ordinary circumstances, come under review again in 1895; but I am not prepared at present to make any recommendation in regard to them.

#### GOVERNMENT WRITERS AND ABSTRACTORS.

SIR FREDERICK DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask the Secretary to the Treasury whether the Government has yet come to a decision as to the limit of age in case of Writers recommended for promotion to the Class of Abstractors; and, if so, what is the maximum limit now prescribed?

SIR J. T. HIBBERT: The question is still under consideration.

SIR F. DIXON-HARTLAND: How soon will a decision be arrived at?

SIR J. T. HIBBERT: I cannot answer that without notice.

#### OUTRAGE IN KERRY.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that, early on the morning of Sunday last, the house of a man named Fleming, near Castleisland, County Kerry, was attacked by a number of armed men, and fired into several times; has anyone been apprehended; and has protection been afforded to Fleming's family?

MR. J. MORLEY: The house of James Flynn was fired at on the 13th instant in this locality. Three men have been arrested in connection with the outrage, and have been remanded without bail to Petty Sessions. Flynn and his family are receiving police protection?

*Mr. William Whitelaw*

# REPORTS ON CONSTITUTIONAL CHANGES.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) : I beg to ask the Under Secretary of State for Foreign Affairs, in reference to the Return showing the majorities necessary for changes in the Constitutions of Foreign States, whether he can state when the Reports will be presented from the States not included in the Parliamentary Paper, C. 6970 ?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick) : Reports from all the more important places have been received and laid. Of the remainder only three have yet been received, and we are waiting for more before laying a further batch.

# PAY DAY IN DEVONPORT DOCK-YARD.

MR. KEARLEY (Devonport) : I beg to ask the Civil Lord of the Admiralty whether he can explain why the weekly pay day at Bull Point, Devonport, which hitherto has been as in the Dockyards on Fridays, has been recently altered to Saturdays, thereby causing considerable inconvenience to the weekly shopping arrangements of the men and their families ; and whether there is any reason why the original day should not be reverted to ?

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee) : The wages at the different depôts were formerly paid on different days ; but, this being found inconvenient for purposes of account, Saturday was fixed upon as being, on the whole, the most convenient day to pay at all the depôts ; and that day being a half holiday, and the men receiving their wages at mid-day, it was considered ample time would be given for shopping. Should, however, real inconvenience be felt in consequence of the change, I shall be happy to consider any representation on the subject.

MR. KEARLEY : Will the hon. Gentleman accept the statement from me that it is felt to be very inconvenient ?

MR. E. ROBERTSON : Certainly, if the hon. Member makes it with authority.

# BULL POINT, DEVONPORT.

MR. KEARLEY : I beg to ask the Civil Lord of the Admiralty whether, when the *employés* at Bull Point, Devonport, were transferred from the Army Ordnance Department to the Naval Ordnance Department, they were guaranteed the continuance of certain privileges in respect to leave, sick pay, and medical attendance ; whether he is aware that recently when some of the men were offered a small increase in their weekly wages, such offer was made conditional on these privileges being surrendered ; whether several refused the proffered advance rather than submit to such conditions ; and whether this attempt to break the agreement was made at the instigation of the Admiralty, or on the responsibility of the local officials ?

MR. E. ROBERTSON : The arrangement made was that the men should retain all the privileges to which they were entitled under the War Office, so long, and so long only, as they remained in the same position as at the time of transfer ; but that as soon as they received promotion or increased pay, they should come under the ordinary regulations. No information has reached me to the effect stated in the second and third paragraphs. I may add that the operation of this arrangement is one of the many questions into which the Admiralty has recently been inquiring, and will receive careful consideration.

MR. KEARLEY : Do I understand the hon. Gentleman to say that at the time the agreement was signed the men were told that they would forfeit these advantages in the case of promotion ?

MR. E. ROBERTSON : Yes, the agreement set forth that so long as they remained under the War Office there should be no change, but when they were promoted then they should come within ordinary Rules of the Admiralty.

MR. KEARLEY : Is this change the outcome of inquiries which the Admiralty have been making ?

MR. E. ROBERTSON : No, Sir. The original bargain was that the men should retain all their old privileges until they changed their position, but when they did change they should come under the ordinary Admiralty Regulations. I

added that the operation of this arrangement was now being considered by the Admiralty.

#### THE SCOTCH WEST COAST FISHERIES.

MR. WEIR : I beg to ask the Secretary for Scotland whether, since 27th February last, any steps have been taken to procure from the Admiralty steam cruisers for the purpose of protecting the fishermen on the North-West Coast of Scotland and the Western Isles against trawlers ?

SIR G. TREVELYAN : Yes, Sir ; communications have been passing between the Scottish Office and the Admiralty, in order to insure that when the great summer herring fishery begins the usual additional cruisers given for its protection shall be forthcoming.

MR. BUCHANAN (Aberdeenshire, E.) : May I ask whether, seeing that the Secretary to the Admiralty has declined in this House any responsibility on the part of his Department for supplying sufficient ships for this purpose, he will consider the advisability of inserting in the Sea Fisheries Regulation Bill some provision for maintaining a proper sea fleet ? Otherwise the new Act will not be workable.

SIR G. TREVELYAN : That is a very interesting and proper suggestion, but I am not sure it will be necessary to introduce any legislation. The Fishery Board, undoubtedly, is not at all prepared to acquiesce in the amount of protection now afforded by the Admiralty, and I am quite aware that it is not sufficient.

MR. MACFARLANE (Argyll) : Will the right hon. Gentleman apply to the Treasury for money to purchase vessels to be at the disposal of the Fishery Board ?

SIR G. TREVELYAN : That is a proper matter for consideration. Lancashire has a vessel of its own, but then that is a rich county. With regard to the summer herring fishery, I have every reason to believe that the protection given by the Admiralty will be sufficient.

MR. WEIR : Will steps be taken to secure the removal of that old sailing tub, the *Jackal*, which costs more to keep up than it is worth ?

[No answer was given.]

*Mr. E. Robertson*

#### SWINE FEVER.

MR. JEFFREYS : I beg to ask the President of the Board of Agriculture if he can now state whether he proposes to take any action in order to carry out the recommendations of the Committee on Swine Fever ?

MR. GARDNER : I am afraid that as yet I can only refer the hon. Member to what I said in reply to the questions addressed to me on this subject a few days ago. I have not yet received the evidence on which the Report of the Departmental Committee is founded, but I understand that it will reach me in the course of the present week, and we shall then be able to see how far it will be possible for us to give effect to the conclusions at which the Committee have arrived.

MR. CHAPLIN (Lincolnshire, Sleaford) : Arising out of that reply, may I ask the right hon. Gentleman, as a matter of fact, whether in the Report of the Departmental Committee on Swine Fever there is any information whatever which could not have been obtained in his own Department without the appointment of any such Committee at all ; and whether, under these circumstances, he cannot make up his mind to deal with this question, so important to the agricultural interest, and to carry out the recommendations of the Report without waiting for the evidence upon which the Report is based ?

MR. GARDNER : I cannot admit for one moment that the Committee was unnecessary, or that I had the information in the Department already. I must refer the right hon. Gentleman to the Report. With his knowledge of public business he must know it is impossible for the Government to decide on a Report without seeing the evidence on which it is based.

MR. CHAPLIN : Well, then, I have examined it carefully, and I will ask whether the right hon. Gentleman can say what the information is in the Report which he could not have obtained in the Department ? and, failing an answer to this question, I shall take the earliest opportunity of raising this question again.

MR. GARDNER : I cannot give the right hon. Gentleman any further answer on the subject.

MR. JEFFREYS : Has the right hon. Gentleman's attention been given to a Bill already before the House on this subject ?

MR. GARDNER : But that Bill does not contain the provisions which enable us to deal with this question.

#### THE FURNESS RAILWAY COMPANY.

MR. W. SMITH (Lancashire, N., North Lonsdale) : I beg to ask the President of the Board of Trade if he is aware that the Furness Railway Company is charging for the carriage of agricultural products rates 50 to 60, and in some cases even 100 per cent. above the rates current in December, 1892 ; and whether he will make representations to the management of this company against such abuse of the powers conferred upon them ?

MR. MUNDELLA : I have received representations to the effect stated in my hon. Friend's question, and have placed myself in communication with the Railway Company on the subject.

#### THE IRISH UNDER SECRETARY'S SALARY.

MR. DANE : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what is the present salary attached to the office of Under Secretary to the Lord Lieutenant ; whether the said salary was increased, and by what amount and upon what grounds, when Sir Robert Hamilton was Under Secretary ; was Sir Robert Hamilton, when holding that Office, allowed any extra sum for the payment of premiums upon life assurance, or for the education of his children ; and, if so, upon what grounds ; and is the present Under Secretary granted the same allowances, or when were the same discontinued ?

MR. J. MORLEY : The salary attaching to the office of Under Secretary is £2,000 per annum, without extra allowances. In April, 1883, the salary was temporarily increased to £2,500 under exceptional circumstances, the increase being personal to Sir Robert Hamilton, the then Under Secretary. The special increase of £500 was continued to Sir Redvers Buller while acting temporarily as Under Secretary. It ceased on Sir West Ridgeway's appointment in October, 1887.

MR. DANE : The right hon. Gentleman has not answered the third portion of the question.

MR. J. MORLEY : I really do not think that the third paragraph of the question at all affects the root of the matter. I do not think there is any reason for me to go into the grounds which induced the Government of the day to increase the salary. A certain amount of delicacy is called for in these matters.

MR. T. M. HEALY : Is the right hon. Gentleman responsible for what was done by the Government 10 years ago ?

MR. DANE : I only want to know if the sums of money named were allowed ?

MR. J. MORLEY : I have already stated that the allowance was special and personal. Sir R. Hamilton received £2,000 a year, *plus* £500 a year as a special allowance in his case.

MR. DANE : Were those allowances *plus* the £500 ?

MR. J. MORLEY : No, Sir ; the hon. Member is entirely mistaken if he thinks that.

MR. T. M. HEALY : Will the right hon. Gentleman give us the amount of special fees paid to all the Tory lawyers under the late Government ?

MR. CARSON : And also the amount paid to the prisoners' counsel in the Maryborough trials ?

[No answer was given.]

#### THE DUBLIN, WICKLOW, AND WEXFORD RAILWAY.

MR. DANE : I beg to ask the President of the Board of Trade whether he is aware that Major General Hutchinson has reported that the bridges carrying the line of the Dublin, Wicklow, and Wexford Railway Company over Bath Avenue and South Lotts Road are in an unsafe condition, and require reconstruction ; whether he is aware that Bath Avenue is a most important thoroughfare, along which the Dublin Tramways run ; and what steps have been or will be taken to compel the Railway Company to reconstruct these bridges at their own expense and with the least possible danger to the public using these thoroughfares ?

**MR. MUNDELLA:** Yes, Sir, General Hutchinson has reported that the Railway Company should lose no unnecessary time in adopting the requisite measures to place the bridges in a safe condition. The Board of Trade have urged the Company to do this, and have received a reply that their engineer intends to adopt a trough girder to support each rail, the side high enough to act as a guard rail. This is now under consideration.

#### COMMISSIONS FOR DISTINGUISHED SERVICE.

**MR. WICKHAM** (Hants, Petersfield): I beg to ask the Secretary to the Admiralty whether any commissions have been granted to officers of the Royal Naval Reserve under Article 43 of the Revised Regulations for Royal Naval Reserve, sanctioned by Orders in Council of 23rd February, 1891, which provide that officers who shall have greatly distinguished themselves in action with the enemy, or who may, by the character or length of that service, obtain the special approbation of the Admiralty, will be eligible to receive commissions as officers in the Royal Navy; and, if no such commissions have been granted, whether the Article is to be considered inoperative?

**MR. E. ROBERTSON:** No commissions have yet been granted under the Regulations, but they are not to be considered as inoperative, and they will be put into operation when suitable cases arise.

#### DUBLIN GUARDIANS' ELECTION.

**MR. FIELD:** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland with reference to the recent correspondence between the Local Government Board and Messrs Joseph Delahunt and Patrick Corrigan as to the inquiry on oath into the recent election for Guardians for the Fitzwilliam Ward of the City of Dublin, in the course of which Messrs. Delahunt and Corrigan asked whether, if they should substantiate the charges made, the Board would direct a new election, and the Board replied that they could not properly set aside the Return unless it should be shown at the inquiry that votes had been wrongly allowed or disallowed to such

an extent as would affect the number of votes forming the majority recorded; whether, having regard to the letter of Messrs. Delahunt and Corrigan of the 24th April, 1893, charging, amongst other things, that the Returning Officer has a direct personal interest in discouraging contests at Poor Law elections for the reasons set forth in the said letter, will he direct, should the charges made be substantiated, a new election to be ordered?

**MR. W. KENNY** (Dublin, St. Stephen's Green): Is the right hon. Gentleman aware that counter-charges have been made of gross misrepresentation?

**MR. J. MORLEY:** I am not aware of that. In reply to the question on the Paper, I have to say I am informed that the purport of the correspondence between the two gentlemen named and the Local Government Board is correctly set forth in the question. Section 23 of the Act 6 & 7 Vict., c. 92, empowers the Local Government Board, when a question is raised as to the right of any person to act as an elected Guardian, to inquire into the circumstances of the case, and to issue such Order as they may deem requisite for determining the question. If, on inquiry under this section, the Board ascertain that the Return made by the Returning Officer is correct, i.e., that the person returned by him has obtained a majority of good and valid votes and is in all respects qualified to fill the office of Guardian, the Board do not disturb the Return; but if, on the other hand, they find that the Return is incorrect, they issue a sealed Order setting it aside and directing the holding of a new election. Complaints not affecting the validity of a Return would not constitute a legal ground for setting aside such Return, though of course if such complaints were substantiated it would become necessary to take some action against the persons affected by them.

#### X EDINBURGH MUSEUM.

**MR. PAUL:** I beg to ask the Secretary to the Treasury whether he has received from the Education Department a statement of the grievances under which the attendants at the Edinburgh Museum believe themselves now to labour, as compared with a similar class of public

servants at South Kensington; and what steps the Treasury propose to take in the matter?

SIR J. T. HIBBERT: The Treasury has received a letter from the Science and Art Department respecting the rates of pay of the attendants at the Edinburgh Museum, and is now in communication with the Department on the subject.

#### THE LEE-METFORD RIFLE.

★ Mr. WEIR: I beg to ask the Secretary of State for War how many of the Lee-Metford magazine rifles, Mark I. pattern, have been returned by Commanding Officers owing to defects in the working of the bolt and bolt-head?

\*MR. CAMPBELL-BANNERMAN: When the rifles of early manufacture were first issued complaints were made in regard to the bolt and bolt-head. Modifications were introduced and have been applied to all arms of the pattern in question. Since the introduction of these improvements all complaints have practically ceased, and no failures have been reported.

In answer to a further question by Mr. WEIR, whose words were quite unintelligible in the Gallery,

MR. CAMPBELL-BANNERMAN asked that the period during the Recess might be allowed him in order to ascertain.

#### THE ARREST OF AN OXFORD TUTOR.

✓ Mr. BYLES (York, W.R., Shipley): I beg to ask the Secretary of State for the Home Department whether he is acquainted with the facts in a recent case of mistaken identity at Oxford, in which a tutor of Mansfield College (Mr. Lewis) was arrested at mid-day, at the Oxford Railway Station, without warrant, on a charge of theft from a public-house, he being entirely innocent of the charge; whether he is aware that Mr. Lewis wrote a letter to the Principal of his college to prove his identity and entrusted it to the police for delivery, and that, instead of delivering the said letter, they used it to endeavour to obtain further evidence against the accused, thus extending the time of his unjust detention; and whether the Home Secretary will think it his duty to take any action or make any inquiry into the matter?

Mr. ASQUITH: I have received a Report from the Chief Constable of Oxfordshire, from which it appears that a barmaid employed at the public-house at Wolvercote, where a theft had been committed, was leaving Oxford for Wolvercote by the canal towing path, when she met Mr. Lewis, and thought she recognised him as the thief. She followed him to the railway station and there gave him in custody, charging him with the theft. He was brought to the County Police-station, and as the Bullingdon Bench of Magistrates was then sitting, he was brought before them and remanded on her evidence for a week, the Bench offering to take bail. He then asked for a piece of paper to write to the Principal or Bursar of Mansfield College, asking them to be bail for him. This note was handed to the sergeant to deliver, but at that moment a friend of Mr. Lewis's came in and offered to fetch the Bursar. Mr. Lewis then told him not to trouble about the note, which was put down in front of Mr. Lewis on the table, and his friend fetched the Bursar. The sergeant, who had been told by Mr. Lewis where he lodged, went there to make inquiry, taking the paper with him to help to prove his identity. The inquiries he went to make were as much in Mr. Lewis's interest as in the prosecution's, and the time of his detention was not in the least extended by the action of the police. I think my hon. Friend will, after hearing this account, agree with me in thinking there appears to be no reason to impeach the conduct of the police in question, and I do not, under the circumstances, consider it my duty to take any action in the matter. If Mr. Lewis has sustained any legal wrong the remedy by action is, of course, open to him.

Mr. BYLES: Is the right hon. Gentleman aware that the statement of Mr. Lewis and his friends differs materially from that given by the police. Is it not their duty to protect the innocent as well as detect the guilty?

Mr. ASQUITH: The statements do differ; but, as I have said, Mr. Lewis, if aggrieved, has his remedy in his own hands. I have no control over the Oxfordshire Police.



## RAVAGES BY FOXES IN ROSS-SHIRE.

MR. WEIR: I beg to ask the Secretary for Scotland whether his attention has been drawn to the ravages of foxes amongst the lambs in the Lochcarron district of Ross-shire, and the inability or unwillingness of the Landlords' and Sporting Tenants' Association to capture or destroy these vermin; and whether steps will be taken to deal energetically with this grievance?

SIR G. TREVELYAN: My attention has not been called to these special ravages. If there is a serious grievance from the neglect to kill foxes in deer forests, there are bodies representing public opinion in the Highlands officially and non-officially from whom I should expect to receive resolutions.

## FRANK BUCKLAND'S COLLECTION.

COLONEL MURRAY (Bath): I beg to ask the Vice President of the Committee of Council on Education whether it is the case that a collection of plaster casts of fish, and models for fish culture, and a sum for eventually founding a curatorship were left by the late Frank Buckland, and accepted by the Kensington Museum for the nation; whether he is aware that the collection is in a very neglected state; that many specimens have been lying on a piece of building land for many months exposed to the weather, and are now so much damaged as to be useless; and, that those which remain are deteriorating in an old and damp shed; whether the collection is considered of sufficient general interest and value to be preserved; and, if so, whether immediate steps can be taken to place and keep it in a proper state; whether, for this purpose, the terms of the legacy admit of the collection being transferred to the Natural History Museum; and whether such transfer can be effected?

MR. ACLAND: Under the will of the late Mr. F. Buckland, his collection illustrative of fish culture was bequeathed to the South Kensington Museum, together with the reversion of a sum of money in which his widow was to have a life interest. Certain specimens were some years ago removed from the collection as being useless or unsuitable for exhibition, and some of these have, no doubt, deteriorated. I am not aware of any deterioration in those specimens which are exhibited.

The building in which they are cannot be said to be very suitable for a museum, but the collection is believed to be quite in as good a condition as when Mr. Buckland left it. A Treasury Committee, of which Sir J. Evans was Chairman, reported in 1889 that it was desirable that the collection should be removed from South Kensington. In order to transfer the trust, the sanction of the Court of Chancery, or possibly of an Act of Parliament, would be necessary. The authorities of the Natural History Museum declined to receive the collection. The Department has been in communication with the Marine Biological Association to endeavour to arrange for a transfer of the trust, but hitherto without success.

## IRISH CLERKS OF THE CROWN AND PEACE.

MR. MAURICE HEALY (Cork): I beg to ask the Secretary to the Treasury whether the Report of the Departmental Committee which sat in Dublin early in January last with reference to the clerical and other office allowances to be paid to the Clerks of the Crown and Peace in Ireland, in view of the additional duties which they have to discharge under the Registration of Title Act, has yet been made; and, if so, will he cause it to be laid upon the Table of the House; and has the Treasury yet fixed the amount of those allowances; if not, what is the cause of the delay?

\*SIR J. HIBBERT: The remuneration of the Clerks of the Crown and Peace and their allowances for clerical and office expenses under the Act to the 31st March last have been settled, and also their remuneration for the future. I expect to receive in a few days the Report of the Committee as to the future clerical and office expenses, and the Treasury will then be ready to fix the amounts to be allowed. I do not think that any good purpose would be served by laying the Report upon the Table of the House.

## GUNS FOR THE MERCANTILE MARINE.

MR. HANBURY: I beg to ask the Secretary to the Admiralty what is the number of breech-loading and muzzle-loading guns respectively available for the use of the Reserve of the Mercantile Marine when

undergoing annual drill; and whether, in view of the importance of this Reserve for manning the increasing fleet, and the nature of the modern ordnance on men-of-war, steps will at once be taken to largely increase the present supply of modern guns in batteries and drill ships?

MR. ROBERTSON: My answer is as follows: (1) Guns available for drill of Royal Naval Reserve—breech-loading, 92; muzzle-loading, 146. (2) Arrangements are in progress to gradually replace the older pattern guns by modern ordnance. During the past two years all Royal Naval Reserve drill ships, and certain drill batteries have been supplied with quick-firing guns of the latest pattern.

MAJOR RASCH: Are not the guns the hon. Gentleman refers to the old 68lb. Palliser M.L. guns which were practically obsolete 25 years since?

MR. E. ROBERTSON: I must ask for notice of that question.

#### ATTENDANCE BOOKS IN PUBLIC DEPARTMENTS.

MR. HANBURY: I beg to ask the Secretary to the Treasury whether any, and, if any, what public Departments are not subject to the Orders in Council requiring attendance books to be kept for the purpose of registering the arrival and departure of their clerks of both divisions of the Civil Service; and whether all the Departments have yet formulated their normal establishment; and, if so, whether a statement will be laid upon the Table before the Votes for the various Departments are taken showing the proposed establishment in each case?

SIR J. HIBBERT: With regard to the Legal Departments, the hon. Member is aware that they have been held to be outside the Order in Council of 15th August, 1890. I cannot, therefore, at present answer either paragraph of the question, so far as relates to matters under the jurisdiction of judicial authorities not responsible to Parliament. Subject to this qualification, I am not aware of any public Departments except, perhaps, the Houses of Lords and Commons that are exempt from the requirements of the Orders in Council. All Departments except the Legal Departments, the Houses of Lords and Com-

mons, the Foreign Office, the Admiralty, and the Education Department, have submitted schemes for their future normal establishment; but as, owing to reductions which have been made in the Upper Division and other causes, the normal establishment cannot be reached for some time, and the increase or diminution that may in the meantime take place in the work to be done by the Departments may necessitate changes in that normal establishment as now estimated, I think it would not be desirable to lay upon the Table particulars which must, from the nature of the case, be more or less theoretical.

MR. HANBURY: Is it the intention of the Treasury not to give this information for two or three years?

SIR J. HIBBERT: Oh no! I thought the hon. Member wanted it laid on the Table for the purposes of to-night's discussion.

MR. HANBURY: And what is the objection to that?

SIR J. HIBBERT: It could not be done in time.

#### THE RATING OF GOVERNMENT PROPERTY.

MR. FREDERICK FRYE (Kensington, N.): I beg to ask the Secretary to the Treasury will he explain on what grounds the immense properties owned and occupied by the Government in the parishes of Woolwich and Plumstead are not rated at more than half their real value, thus causing a high rate to be paid by the inhabitants of those parishes generally; and whether he will cause a due assessment of the Government property in those parishes to be made, and wait to see what reduction in the rate it will produce, before he calls upon other parishes, by fresh legislation, to assist the ratepayers of Woolwich and Plumstead further than is now done under the existing law?

SIR J. HIBBERT: There is no warrant for the assumption in the first paragraph. The properties in question have been carefully valued, and the assessment fixed with the Assessment Committee of the Union on three separate occasions, in 1875, 1884, and 1891, and on each occasion the Committee have by formal resolution declared the valuation to be fair and equitable. On the last

occasion the following resolution was passed :—

"The Assessment Committee, after going through all the details of the value of Government property in the several parishes comprised in this Union, are of opinion that the figures proposed by the Treasury Valuer at their special meeting to-day is a fair and equitable revision of the valuation, and they accept the figures accordingly."

The second paragraph of the question does not, in view of these facts, appear to require any answer.

#### GRANTS IN AID TO PROVINCIAL MUSEUMS.

MR. JESSE COLLINGS (Birmingham, Bordesley) : I beg to ask the Vice President of the Committee of Council on Education if it is the intention of the Government to reduce the grant-in-aid to provincial museums from £800 to £500 for the present financial year ; and, if so, if he will state the reason for such reduction ?

MR. ACLAND : The grant-in-aid to local museums, which was made to assist them in the purchase of casts and other reproductions, has been put this year at £500 instead of £800. On the other hand, the Purchase Vote for the museum and for circulation to local museums has been increased by £3,450. The £800 grant was not fully taken up last year, and it is believed that £500 will be sufficient to meet all demands. I hope the right hon. Gentleman will not think that I have any evil designs against Birmingham, for that city with one other last year absorbed six-sevenths of the grant, and in the year before two-thirds. I think there will be sufficient now for Birmingham.

MR. J. COLLINGS : Is the hon. Gentleman aware that the leading Local Authorities have made special arrangements this year to purchase specimens and original examples, a special opportunity having offered itself, and will he, by a Supplementary Estimate or by some other means, assist the Local Authorities in that respect ?

MR. LABOUCHERE (Northampton) : I wish to know whether the Government will refuse to give any more money for the purpose to Birmingham until Northampton has had some ?

MR. LENG : I have to make a similar inquiry in the interest of Dundee.

[The questions were not answered.]

*Sir J. Hibbert*

#### THE CONVEYANCE OF AMERICAN MAILS.

MR. FORWOOD (Lancashire, Ormskirk) : I beg to ask the Postmaster General if he will give the day and hour of the delivery at London, Birmingham, Manchester, Liverpool, Glasgow, and Belfast respectively, of the correspondence brought from the United States by the *Campania*, which sailed from New York after the *Paris*, and the time of the delivery of the mails at these places brought by the latter vessel ; and which of these vessels was selected by the United States Government to convey the mails to the United Kingdom ?

MR. MACARTNEY : At the same time I will ask the right hon. Gentleman when the American mails per *Campania* and when those per *Paris* were delivered in London and Provinces, and in Dublin and Provinces ; and whether he has received any intimation that the American Government would consider favourably a representation made by the Post Office as to the carriage of the mails from the United States to England ?

\*MR. A. MORLEY : The times at which the delivery of the correspondence in question commenced at the places named were as follows :—London, from the *Campania*, May 13, 8.30 a.m. ; from the *Paris*, May 13, 8.15 p.m. ; Birmingham, Manchester, and Liverpool, from the *Campania*, May 13, 7.0 a.m. ; from the *Paris*, Sunday, May 14, 7.0 a.m. ; Glasgow, from the *Campania*, May 13, 10.15 a.m. ; from the *Paris*, May 15, 7.0 a.m. ; Belfast, from the *Campania*, May 13, 7.0 a.m. ; from the *Paris*, May 15, 7.0 a.m. ; Dublin, from the *Campania*, May 12, 7.0 p.m. ; from the *Paris*, May 14, 8.0 a.m. The vessel selected by the United States Post Office was the *Paris*. The method of choice announced by that office is comparison of results attained on eastward voyages ; and the *Campania* had made no such voyages. There is no ground for doubting that any reasonable representation made by the British Post Office to that of the United States would receive due consideration ; but it would not be reasonable to ask for preference to be given to a steamer concerning which the materials for the customary comparison do not yet exist.

**MR. T. M. HEALY** : Do these times relate to the delivery of newspapers as well as letters ?

**MR. A. MORLEY** : I cannot say.

#### GOOD CONDUCT STRIPES FOR POSTMEN.

**MR. CREMER** (Shoreditch, Haggerston) : I beg to ask the Postmaster General why the London and provincial postmen who were recommended good conduct stripes by their superior officers have not yet received them, and what is the cause of the great delay ?

**MR. A. MORLEY** : So far as I am aware, there are no such recommendations on hand, but if the hon. Member will furnish me with particulars I will have inquiry made.

#### POSTMEN'S SUMMER UNIFORM.

**MR. CREMER** : I beg to ask the Postmaster General whether he is aware that the recent Order compelling postmen to work with their tunic buttoned at the top is regarded with dissatisfaction ; and whether he will give instructions that postmen who have to climb stairs and carry loads shall during the summer months be exempt from such Order ?

**MR. A. MORLEY** : I am not aware of any dissatisfaction caused by the Regulation referred to in the question, and I am not prepared to relax the Regulation, which is intended to prevent a practice which led to a slovenly appearance on the part of the postmen. In the summer the men wear lighter tunics.

#### THE CIVIL SERVICE COMMISSION.

**MR. WEIR** : I beg to ask the Secretary to the Treasury if he will explain on what grounds the Senior Commissioner of the Civil Service Commission has received salary at the rate of £1,200 per annum after the age of 70, in contravention of the Order in Council of the 15th August, 1890 ; for what period such salary has been paid ; and on what authority the provisions of Clause 10 of the Order in Council have been departed from ?

**SIR J. HIBBERT** : The services of the late Senior Civil Service Commissioner were retained to meet a temporary emergency, pending the appointment of his successor. The whole matter has come before the Public Accounts Com-

mittee, and I do not think it desirable to make any further statement in anticipation of their Report.

#### EVENING SCHOOLS CODE.

**MR. SAMUEL SMITH** (Flintshire) : I beg to ask the Vice President of the Committee of Council on Education if he can state when the Code for Evening Schools will be issued ?

**MR. ACLAND** : I have laid the Code for Evening Schools on the Table to-day, and it will be circulated towards the end of next week.

#### INLAND REVENUE REMOVALS.

**MR. TULLY** (Leitrim, S.) : I beg to ask the Chancellor of the Exchequer whether it is true that the Commissioners of Inland Revenue have recently declined to entertain applications of removal to Ireland made by officers of Inland Revenue stationed in England ; and, if this is so, what is the rule on the subject ?

**THE CHANCELLOR OF THE EXCHEQUER** (Sir W. HARCOURT, Derby) : The general rule is that officers are allowed to serve on stations for which they apply. The Board of Inland Revenue, however, reserve to themselves an absolute discretion to refuse or postpone such applications, in the interests of the Public Service.

#### DUBLIN MILK RATES.

**MR. T. M. HEALY** : I beg to ask the President of the Board of Trade whether the Irish Great Northern Railway has refused to refund to the Dublin milk trade the differences between the old and new rates where the old rates have been reverted to ?

**MR. MUNDELLA** : I have received no information to the effect referred to. If the hon. Member will furnish me with any particulars I will have them inquired into. We have asked the question of the company, but have not yet received their answer.

#### NATIONAL DENUNCIATION OF LAND GRABBING.

**MR. SMITH-BARRY** (Hunts, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to a meeting at Fethard, County Tipperary, on 7th May,

reported in *The Nationalist* of 13th May, over which the Rev. Archdeacon Ryan, P.P., presided, and held for the purpose of denouncing a Mr. Ashmore for having taken a farm which had been surrendered by a man named Fenelly; whether he is aware that a resolution was adopted to treat Mr. Ashmore as a grabber, and the attention of the meeting called to the fact that a certain trader was supplying those on the farm with provisions; whether it has been brought to his notice that last autumn several outrages to cattle were perpetrated on a neighbouring farm which was being worked in conjunction with the farm in question; and whether he will take steps to prevent the holding of public meetings to intimidate individuals who are exercising their legal rights?

MR. J. MORLEY: My attention has been drawn to the proceedings referred to in the first and second paragraphs of the question. With regard to the third paragraph, it appears that two such outrages were reported to the police as having taken place. In one of these compensation was awarded by the Grand Jury, but in the other case the claim for compensation was rejected at Presentment Sessions. As regards the fourth paragraph, steps have been, and will continue to be, taken to prevent and to prohibit, if necessary, public meetings where there is reason to believe that they will endanger the public peace or intimidate individuals in the exercise of legal rights.

MR. T. M. HEALY: What is meant by the word "denouncing" in this case? Is it not perfectly legal for persons to maintain the advisability of non-grabbing of evicted land?

MR. J. MORLEY: I rather think that denouncing in this case meant pointing an individual out to public disapproval. If it leads to overt acts, or if the denunciation is directed to the individual in question as to intimidate him in the exercise of his legal right, then the Government will interfere.

MR. T. M. HEALY: Has the right hon. Gentleman seen the decision of a London Magistrate within the last week, whereby persons circulating in front of his door handbills calling attention to the fact that an employer had refused to allow his servants certain holidays were held to have acted legally?

*Mr. Smith-Barry*

MR. J. MORLEY: I did not say this was illegal.

MR. SEXTON: On what ground was one of the two claims for compensation refused?

MR. J. MORLEY: I must ask for notice of that.

#### THE BOWLING PUBLIC HALL.

MR. HOZIER (Lanarkshire, S.): I beg to ask the Secretary for Scotland what were the special circumstances of the case, and who informed him as to the special circumstances of the case, which induced him to depart from what he has stated is "the ordinary course," and, at the last moment, to withdraw the sanction for the sale of Bowling Public Hall, against the finding of an inquiry held by the Education Department on the spot?

SIR G. TREVELYAN: The ordinary course is for a School Board to sell a building which it does not want. The special circumstances in this case were that a right of public use was attached to the premises, and, therefore, a very small sum only could have been obtained for them; while it was of the first importance that the strongest security should be taken that the community at large should have full and free use of the building. The arrangement which is being made by the School Board is the best that can be made in order to secure this object.

MR. HOZIER: From whom did the right hon. Gentleman derive his information?

SIR G. TREVELYAN: The Department informed itself of the facts partly from the School Board and partly by the inquiries of its own officers.

#### ADMIRALTY SURVEYS OFF BRITISH COLUMBIA.

SIR GEORGE BADEN-POWELL: I beg to ask the Secretary to the Admiralty whether the new surveys of Burrard's Inlet and English Bay, in British Columbia, which were ordered to be made in 1890, have yet been completed and any corrections entered in the Admiralty charts?

MR. E. ROBERTSON: The survey was completed, and a new chart has been issued.

## RAILWAY RATES ON LIVE STOCK.

MR. FIELD : I beg to ask the President of the Board of Trade whether his attention has been again drawn to the increase in railway rates on live stock carried by the London, Brighton, and South Coast Railway, and more particularly on calves and pigs, the increase on the former being nearly 100 per cent. and the increase on the latter nearly 50 per cent. (*vide* way bills, Pulborough to Streatham Hill), and in the case of the London and South-Western Railway Company, where the increase on sheep from Hurstbourne is nearly 100 per cent. (*vide* way bills dated 15th April, 1893), notwithstanding the assertions of said companies in respect to a former occasion; and whether he will again call their attention to this subject?

MR. MUNDELLA : As the hon. Member has been good enough to call my attention to this subject, I have communicated with the companies concerned, but have not yet received their explanation.

## MERCHANDISE MARKS.

COLONEL HOWARD VINCENT (Sheffield, Central) : I beg to ask the President of the Board of Trade what steps he has taken, or proposes to take, to fulfil his promise to the deputation received by him on the 6th inst., representative of many British productive industries and of over 250,000 workers, that—

"He would confer with his Colleagues to see what could be done to enforce the provisions of the Merchandise Marks Act, both in the spirit and in the letter;"

and if he has had any inquiries made, with a view to prosecution, into the examples submitted to him of stamping the foreign brand required on foreign imports (if they bear English words or trade marks) in fugitive inks, or in obscure and concealed places, in order to deceive purchasers, a result frequently proved to be the case with foreign articles bearing no mark of origin, and capable of being sold as English?

MR. MUNDELLA : I have given instructions that in every case of alleged infringement of the Merchandise Marks Act, where the matter is brought to the attention of the Board of Trade in the manner directed by the Rules and in

compliance with the Act, 1891, that the Board shall proceed to enforce the provisions of the Act if they are advised that there is a reasonable prospect of obtaining a conviction.

COLONEL HOWARD VINCENT : Has the right hon. Gentleman made inquiries into the cases brought before him by the deputation that waited on him on the 6th instant?

MR. MUNDELLA : No; I could not do that. The statements must be submitted, with evidence, to the Board of Trade.

## THE LABOUR GAZETTE.

MR. GIBSON BOWLES (Lynn Regis) : I beg to ask the President of the Board of Trade whether any person, and, if so, who, has been registered at Somerset House as the proprietor of *The Labour Gazette*; whether any arrangement has been made whereby the various Government Departments are to furnish to this journal information which they do not furnish to other journals; what amount of money has been expended so far in connection with the establishment of *The Labour Gazette*; and whether the expenditure will appear in any form; and, if so, in what form upon the Estimates?

MR. MUNDELLA : The registration of *The Labour Gazette* rests with the Stationery Office, and I understand from that Office that it is unnecessary to register *The Gazette* at Somerset House, as it does not come within the definition of a newspaper contained in 44 & 45 Vict. c. 60. The arrangements made with the various Government Departments for the supply of information are fully set out in the Memorandum of the Labour Department laid before the House. If any expense is incurred in the printing and publishing *The Labour Gazette*, it will appear in the Votes of the Stationery Office in the usual way; but I do not anticipate there will be any beyond the gratuitous distribution of a certain number of copies. *The Board of Trade Journal* has cost nothing to the State for the last seven years, and *The Labour Gazette* has been so well received that I anticipate a similar result; 20,000 copies were taken the first day, and a further 20,000 have been printed.

**COLONEL HOWARD VINCENT :** May I ask whether it is intended that advertisements shall be inserted in *The Labour Gazette*, thus bringing it into competition with the journals of the country? I may remind the right hon. Gentleman that his Predecessor received a large deputation from the entire Press of the country on the subject.

**MR. MUNDELLA :** I am going to act precisely on the line laid down by my Predecessor.

**MR. GIBSON BOWLES :** Who is to be responsible for any libellous matter appearing in *The Gazette*? It seems to me that it already contains libellous matter.

**THE SPEAKER :** Order, order!

**MR. GIBSON BOWLES :** Will the right hon. Gentleman answer the question?

**MR. MUNDELLA :** It is not a proper question to put.

#### EGYPT.

**MR. GIBSON BOWLES :** I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been called to the statement made by M. Develle, the French Minister for Foreign Affairs, on Tuesday last, to the effect that in 1884 and 1885 England entered into negotiations with France respecting the evacuation of Egypt, and that a Convention was signed fixing 1888 as the date of the evacuation; whether Her Majesty's Government accept this as a correct statement of the facts; and whether all the communications and despatches relating to the negotiations and Convention in question are included in the Papers already laid before Parliament; and, if not, whether he can state what communications and despatches are not included therein, and will now lay them before this House?

**SIR E. GREY :** An exchange of Notes between Lord Granville and M. Waddington took place in June, 1884. The Notes in full, and the conditions on which the proposals contained in them depended, will be found in Egypt, No. 23, 1884.

**MR. GIBSON BOWLES :** Cannot the hon. Gentleman give me some indication of what the tenour of the answer was?

**SIR E. GREY :** The answer to which I referred the hon. Gentleman was, that it is not the practice to publish all the communications and Despatches, but only such as give an adequate impression of what has occurred. It may be that in this case all were published, but I have had no time to ascertain.

#### EVICCTIONS IN ARRAN.

**DR. CAMERON (Glasgow, College) :** I beg to ask the Secretary for Scotland whether his attention has been called to the fact that a number of notices of removal (stated at from 70 to 100, or upwards) have been served on behalf of the Duke of Hamilton upon tenants of his in the Island of Arran; whether he is aware that the houses and lands from which these tenants are threatened with eviction have, as a rule, been built and reclaimed without assistance from the landlord; and whether, in view of the urgency of the situation, he will consider the propriety on behalf of the Government of taking measures to bring Arran under the operation of the Crofters' Acts?

**SIR G. TREVELYAN :** The subject which my hon. Friend has brought forward is one of much gravity and importance. I have not had my attention called to it otherwise than by the newspapers; but I have read what is alleged by the Press to be taking place in Arran. I will make inquiries on the subject, and if he will put his question again after the holidays I will give him an answer.

#### THE SCOTCH REGISTRATION BILL.

**MR. MAXWELL (Dumfriesshire) :** I beg to ask the First Lord of the Treasury if his attention has been called to a copy of a letter which appeared in *The Scotsman* of the 11th instant, addressed to secretaries of Liberal Associations in Scotland, by the right hon. the Member for Berwickshire, in which it is stated that it is impossible that the Registration Bills now before Parliament can become law in time to affect the registration this year; and whether, in these circumstances, the Government intend to proceed further during the present Session with the Registration of Voters (Scotland) Amendment Bill?

SIR G. TREVELYAN: In the absence of the Prime Minister, I will repeat what the First Lord has more than once emphatically stated, *i.e.*, that the Government intend to proceed with and to carry into law the Registration of Voters (Scotland) Bill during the present Session.

#### LEEK BOARD OF GUARDIANS.

MR. BILL (Staffordshire, Leek): I beg to ask the President of the Local Government Board whether he has considered the Memorial of the inhabitants of the township of Leek and Lowe, which was sent to him on the 13th of February last, with reference to an increase in the number of the Guardians for that township on the Board of Guardians for the Leek Union; and whether he is disposed to comply with the prayer of the Memorial?

MR. H. H. FOWLER: The communication referred to contained certain proposals for the grouping of parishes, for the purpose of the election of Guardians, by the Local Government Board. But the Board have no power under which they could give effect to these proposals. The township of Leek and Lowe appears to have a claim to further representation; and the Board propose to issue an Order in the matter.

#### THE DUNSANY CO-OPERATIVE STORE COMPANY.

MR. WILLIAM REDMOND: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Dunshaughlin Board of Guardians reported to the Local Government Board that Mr. George F. Murphy, J.P. and Mr. John Wilkinson, J.P. (both of Dunsany), voted as *ex-officio* Guardians in favour of giving the meat contract for the Dunshaughlin Union to the Dunsany Co-operative Store Company, a concern in which they are shareholders; and, if so, whether the Local Government Board intend to prosecute Messrs. Murphy and Wilkinson for corrupt and illegal voting; whether the Local Government Board are aware that Lord Dunsany, principal of the Dunsany Co-operative Store firm, Messrs. George F. Murphy, J.P., John Wilkinson, J.P., and other shareholders in that concern, by whose votes

and influence on the Dunshaughlin Board of Guardians the meat contract was secured for the Dunsany Co-operative Store Company, are in the habit of selling fat cattle to their Co-operative Store, which, trading as butchers, sell their meat to the Board of Guardians, of which they are members, and, finally, voting themselves (indirectly) payment out of the funds of the ratepayers, thus having a double financial gain for their votes; whether the Local Government Board have sanctioned such a system of contracting, and consider it advantageous to the ratepayers and the poor; and whether the Local Government Board will take any, and, if so, what action in the matter?

MR. HORACE PLUNKETT (Dublin Co., S.): I wish on this to ask the right hon. Gentleman a question of which I have given him private notice—*i.e.*, Whether he is aware that on the occasion referred to 13 Guardians voted for and six against accepting the lowest tender—namely, that of the Dunsany Co-operative Store Company, Limited, an association for the benefit of the poor of the district, consisting of 200 shareholders, 85 of whom are labourers, and which has now been successfully established for 16 years?

MR. T. M. HEALY: I rise to Order. Is it the practice in this House, when a person closely connected with a Member of this House has his public conduct attacked, for his relative to come to his aid with a long question?

MR. SPEAKER: I saw nothing in the supplementary question calling for my interference.

MR. H. PLUNKETT (continuing his question): Is the right hon. Gentleman aware that none of the Guardians who voted were shareholders except the two named who had shares value £5 and 10s. respectively, and that, therefore, their financial interest in the contract was nominal; that Mr. Wilkinson has never sold any cattle at all to the Stores, while Lord Dunsany and Mr. Murphy only sell occasionally for the accommodation of the stores at Liverpool prices, less freight and expenses, and without benefit to themselves; and whether the Local Government Board inquiry has shown that there is the slightest foundation for all the suggestions of jobbery on the part of the men named in the



question of the hon. Member for East Clare?

MR. J. MORLEY: I am unable to certify as to the accuracy of the facts quoted by the hon. Gentleman. They may be substantially true, but I have had no time to test them. On the 20th April I stated, in reply to a question addressed to me on this subject by the hon. Member, that the Local Government Board had drawn the attention of the Guardians to the statutory penalties to which members concerned in Union contracts are liable. I now learn that on the 2nd instant the Board of Guardians, at a special meeting convened to consider the matter, unanimously passed a resolution to the effect that two of the Guardians, who are interested as shareholders in the concern to the extent of—in one case of £5 and in the other of 10s.—had voted in favour of the acceptance of the tender of the Co-operative Stores, and that in doing so they acted solely in the interest of the poor and of the ratepayers. With the view of eliciting all the facts, the Local Government Board have instructed one of their Inspectors to make inquiry into the matter; and, upon the receipt of his Report, the Board will decide whether the case is one in which they should proceed for the recovery of the statutory penalties.

MR. W. REDMOND: I will put another question after the Recess.

### NOTICE OF MOTION.

#### THE STATE OF CLARE, KERRY, AND LIMERICK.

MR. MACARTNEY: I beg to give notice that on the Vote on Account the hon. Member for South Tyrone will call attention to the lawless condition of the Counties of Clare, Kerry, and Limerick, and move to reduce the Vote by an amount equivalent to the salary of the Chief Secretary.

#### THE VOTE ON ACCOUNT.

MR. BARTLEY (Islington, N.): When will the Vote on Account be issued? Will it be in time to enable us to put down notices before the Recess?

SIR J. T. HIBBERT: I will lay it on the Table to-night.

*Mr. H. Plunkett*

#### THE WHITSUNTIDE RECESS.

SIR M. HICKS-BEACH (Bristol, W.): Will the Motion for the Adjournment over the Whitsuntide Recess be taken as the first Order to-morrow?

SIR W. HARCOURT: The Motion, which will be that the House, at the conclusion of the Morning Sitting, shall adjourn till Monday, the 29th of May, will not be the first Order, but it will be taken at a time that will give hon. Members an opportunity of making any observations they desire upon it.

### ORDERS OF THE DAY.

#### TREASURY CHEST FUND BILL.

(No. 321.)

COMMITTEE. [*Progress, 1st May.*]

Considered in Committee.

(In the Committee.)

#### Clause 1.

MR. HANBURY asked what was the exact purport of the Bill? As yet he had not been able to get a satisfactory answer, and he should like to know if he was correct in assuming it was another means of attempting to reduce the deficit? So far as he understood, what had happened in past years was this: the Treasury Chest was kept at a certain amount, but this year—for the first time for many years—they were told that it was not necessary to keep that amount in hand for foreign payments, because, in consequence of the facilities of communication with the different parts of the world through the post and telegraph, payments could thus be more easily made. But there was no distinction in that respect between this year and the last few years, and any Chancellor of the Exchequer hard up for money might have done the same thing that the Chancellor of the Exchequer was doing now. What he wanted was an answer to two plain questions. First, whether, as a matter of fact, the right hon. Gentleman was not borrowing this money in order to reduce the deficit; and, in the next place, whether the right hon. Gentleman could tell him what special circumstances there were in connection with this Bill which enabled him, as Chancellor of the Exchequer, to reduce the

balance by means of this chest, that were not equally applicable to any of his Predecessors? It might be a very proper thing to do, but if the Chancellor of the Exchequer was really borrowing—about which he thought there could be no doubt—then he should boldly say so. He would ask whether this was not, in fact, a new form of loan to a limited extent? If the right hon. Gentleman said it was, then the matter would be ended; but what he wanted was to prevent the Chancellor of the Exchequer sailing under false colours. The right hon. Gentleman had condemned similar action on the part of some of his Predecessors, and if they found that the Chancellor of the Exchequer was borrowing in this way, then it was only right that he should apply the same condemnation to himself which he had so readily extended to those who preceded him in Office. To put himself in Order he would therefore move the rejection of the clause.

Amendment proposed, to leave out Clause 1.—(*Mr. Hanbury.*)

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): I put this down as the first Order of the Day in order that hon. Members might have full information upon it. The transaction contemplated by the Bill is one that has been done several times. This Treasury Chest is, in point of fact, the working balance for making payments abroad. From time to time it is found this working balance is more than necessary for that purpose. In 1861 the present Prime Minister, then Chancellor of the Exchequer, reduced the balance. In 1873 the same thing was done by Mr. Lowe, and exactly the same amount of money, £300,000, was taken. At that time the balance was £1,300,000, and Mr. Lowe applied the £300,000 to the financial arrangements of that year, and the Bill went through without any observation, it being treated as a mere Treasury matter. If the hon. Gentleman wants to know why it is done this year, I have not the slightest hesitation in telling him; it is because we want money. I have made no secret of that. Money is wanted; this is available for the purposes required; and if hon. Members consider that borrowing, I have no objection to their thinking so.

\*MR. COHEN (Islington, E.) said, that whatever might have been thought before the explanation of the Chancellor of the Exchequer there could not now be any one in the House who could imagine for one moment that the transaction was one of borrowing, because he apprehended that borrowing contemplated repayment. This was an appropriation out of capital for the purpose of meeting a deficit; it was an experiment the Chancellor of the Exchequer would scarcely call borrowing. The right hon. Gentleman was appropriating £300,000 which belonged to capital in order to meet expenditure which he (Mr. Cohen) should consider ought to be defrayed from Revenue. The money ought to be applied in the same way as the surpluses were taken for the reduction of Debt. He thought his hon. Friend (Mr. Hanbury) would no longer consider it borrowing. It seemed to him that when his hon. Friend made the observation that he was under a misapprehension, and it was now absolutely clear that it was not borrowing, but was, he might almost say, confiscation. But whatever the expression ought to be, it was appropriating towards annual expenditure capital sources, and therefore he wondered that such a financial purist as the right hon. Gentleman should resort to an expedient that was scarcely so justifiable as the system of borrowing for capital expenditure.

MR. BARTLEY (Islington, N.) thought this raised a somewhat serious question, inasmuch, as he understood it, all surpluses of this sort were obliged to be applied to the reduction of Debt. The money had arisen out of taxation in former years, and being no longer necessary for the purpose for which it was voted, it ought to go in the reduction of Debt. Therefore, he apprehended, this Bill was really and truly to do away with that provision and to give the Chancellor of the Exchequer the accommodation of £300,000 this year to make up deficiencies. That was following the bad precedent of the present Prime Minister in 1861, and he hoped the Committee would be strong on this point and insist that the £300,000 should not be diverted to a wrong purpose, but should go in the reduction of Debt as it ought to do.

SIR W. HARCOURT: That would make it necessary to put on another tax. The question of what is capital and what

is not, no doubt, we might discuss at great length. If you have a great windfall on an estate you might treat the timber that fell as capital, but if you were hard up that year you would use it as revenue. The Committee knows very well what has been done in these cases in former times, and I hope they will allow us to have this Bill.

\*SIR JOHN LUBBOCK (London University) said, the right hon. Gentleman called this a windfall, but he submitted it was no windfall at all. Let them understand what they were about to do. The Treasury Chest, as he understood it, were certain sums kept abroad to meet expenditure, and the right hon. Gentleman now brought in a Bill to diminish the sum kept in the Treasury Chest; therefore it was not a windfall in any sense of the word. If the Treasury found it was not necessary to keep so large a sum, it was quite right to bring the money home; but having done so, it ought to go in reduction of Debt, and they must clearly understand they were not making both ends meet to that extent, because taking the money out of one pocket and putting it into another could not be called a windfall. The right hon. Gentleman was quite right in bringing the money home, but it ought to go in the reduction of Debt, and not to the Revenue of the year. It was really part of the property of the nation being transferred from one place to another, and to treat it as income was ridiculous, and if his hon. Friend went to a Division he should feel bound to go with him. If they were to understand that merely because £300,000 had been transferred from the Treasury Chest to the Exchequer they were to spend it, he thought that was a matter they ought to protest against.

LORD RANDOLPH CHURCHILL (Paddington, S.): I think my hon. Friend behind me and the right hon. Baronet opposite are really financial purists. Of course, it is very easy to lay down the very honourable, strict, and creditable maxim that never must you apply money to one purpose that was intended for another, and for the guidance of the Treasury to pass a cast-iron rule; but when you consider what the action of the Treasury has been during many years in the management of English finances, and how the House of Commons has never been able to detect the Treas-

ury in any fault, you must be careful to give a certain elasticity to the licence and liberty you allow the Treasury in dealing with the financial incidence of the time and the requirements which one year with another may bring. The Treasury is advanced a sum for the purposes of the year. A balance of £300,000 is lying on a deposit, as it were, called the Treasury Chest; it is not wanted for the purposes of the Treasury Chest, but is wanted for the purposes of the year, and if the Chancellor of the Exchequer had not adopted this course what would have been the result? The services of the year would not be fully provided for, and the Government would have to run the risk, at the end of the year, if they did not avail themselves of this, of increasing the Floating Debt by the amount that is required, and I want to know, in these days, whether those gentlemen who object to getting money from the Government at a rate of not more than 2 or 2½ per cent. will run the risk of this year paying the interest they might have to pay if they increase the amount of the Treasury Debt? It is obvious to anyone that the Government have made a convenient arrangement for the country. If, following the purist rule of the right hon. Baronet, they had not provided for the deficit they would have been attacked in the House of Commons, and if they had put on a tax they would have again been attacked in the House of Commons. They have followed the precedent that has been set by Chancellors of the Exchequer like the First Lord of the Treasury and like the late Mr. Lowe, and they certainly procure money on more advantageous and convenient terms than if they followed any other course. That is financial common sense, and I shall certainly support the Government.

MR. COURTNEY (Cornwall, Bodmin) had not intended to take part in the Debate, but it was really important to protest against the language and the attitude assumed by the noble Lord the Member for South Paddington (Lord R. Churchill). He had said before in this House that he knew of no more striking illustration of the immense power of the Treasury than the way in which it had captured the noble Lord and the Chancellor of the Exchequer, both of whom had gone there as enemies

of that institution and had become the most docile disciples. The noble Lord had said that a certain balance (£300,000) had been appropriated by the Chancellor of the Exchequer in order to meet the exigencies of the year. The Chancellor of the Exchequer had treated as Revenue that which was, in fact, part of capital. That was open to objection, and that was the part of the financial purists. In his opinion that ought not to pass without notice, and the hon. Member for Preston (Mr. Hanbury) very properly called attention to what was being done. The noble Lord had said that "you must trust the Treasury; they behave extremely well." He protested against that line of argument, because they were not dealing with the permanent officials of the Treasury, but with the Chancellor of the Exchequer. It might very well be that the Chancellor of the Exchequer had overridden the scruples of the Treasury, but the right hon. Gentleman knew perfectly well that a very eminent Predecessor of his was once very sharply blamed for conduct like what he now practised. In the famous Budget of Mr. Disraeli in 1852, when he was in great straits to balance his accounts, as other Chancellors of the Exchequer had been, he made a proposal in respect to the Exchequer Loans, which was discussed for two nights, and which was opposed by the present Prime Minister and defeated. What the right hon. Gentleman was now doing was of precisely the same character, and it was quite right that it should be condemned. In this case borrowing was not the only alternative, for the Expenditure might have been cut down or the Revenue raised, and it was not a question of the difference in the interest, as the noble Lord had put forward, but it was a matter of real principle.

SIR W. HARCOURT: I only rise to protest against the statement of my right hon. Friend that I was the enemy of the Treasury, because I never was the enemy of the Treasury. It is true that during the reign of a particular Secretary to the Treasury, the administration of the Treasury became so unpopular in most of the Departments that there was a feeling against that Body, but that does not exist now. I am, however, obliged to my right hon. Friend for his speech, because he has supported my case, and

has, to use a vulgar expression, "given himself away." The right hon. Gentleman says that the balance should have been reduced, and what he proposes is that, instead of reducing the balance upon which it was not necessary to draw, we should reduce balances every penny of which is wanted. That is the real argument of the late Secretary of the Treasury, and I have never heard a more remarkable argument from an ex-Secretary. The right hon. Member for the University of London (Sir John Lubbock) is desirous of reducing the Debt. I have now a margin of £175,000, and I hope it may be realised; if so, that sum will go to the reduction of the Debt, because it would be a real surplus, and the £300,000 would find its way into the Treasury. Under these circumstances, I hope the hon. Member will not press his opposition.

MR. GIBSON BOWLES (Lynn Regis) said, the prospect of this sum going in the reduction of Debt, if certain things happened, was satisfactory to the Committee. The question now was, however, not that the balance should be reduced—they were prepared to agree to that—but what was to be done with the £300,000, and no doubt it did turn to some extent on the character of the sum the right hon. Gentleman had captured as a windfall. He did not think that was an appropriate description. A windfall was timber or apples blown down by the wind, but in this instance they had got the right hon. Gentleman in the orchard up the tree after the apples himself. The right hon. Gentleman admitted it; he wanted money, and therefore had gone out to get it. He was a pirate. The *animus furandi* was ascertained. What they complained of was the allocation of it not to the diminution of Debt, not to the purpose which the wisdom of Parliament had pointed out as a proper destination of any sums of this kind, but to the payment of the inordinate expenses of this year. They said that according to all the sound principles of finance the expenses of the year should be met out of the Revenue of the year, and that the right hon. Gentleman had no right to put his hand in the public till, to go up the public apple-tree, and take the public apple which properly belonged to capital and not to Revenue. That was what they objected to,

\*MR. FREEMAN MITFORD (Warwick, Stratford) said, the right hon. Gentleman stated that the right hon. Member for Bodmin (Mr. Courtney) had given himself away; but there were two ways of reducing the balance, one by investment and the other by spending it, and in the present case it appeared to him they were spending it. The Treasury Chest was a matter they had been taught to look on as a sacred thing not to be lightly touched, and if the hon. Gentleman went to a Division he should vote with him.

MR. TOMLINSON (Preston) thought that if there was any doubt about the nature of the transaction before, the illustration the right hon. Gentleman had favoured them with as an excuse was enough to convince them. The right hon. Gentleman said that if his calculations were borne out there would be a surplus which would go to the reduction of Debt; but if they should not be borne out there would be a deficiency, and the capital sum would have been diminished by that amount.

Question put, "That Clause 1 stand part of the Bill."

The Committee divided:—Ayes 230; Noes 116.—(Division List, No. 95.)

Motion made, and Question proposed, "That Clause 2 stand part of the Bill."

MR. BARTLEY said, it would be better to cite the Bill as the Treasury Chest Revenue Relief Bill.

Question put, and agreed to.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again," put, and negatived.

Bill reported without Amendment.

SIR W. HARCOURT: I move that the Bill be read a third time. I hope the House will agree to this.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Sir W. Harcourt.*)

MR. HANBURY said, he was opposed to the Third Reading being taken then. Hon. Members knew very little about the Bill.

SIR W. HARCOURT: Then, Sir, I put it down for to-morrow.

Bill to be read the third time To-morrow, at Two of the clock.

#### SUPPLY.—CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

Considered in Committee.

(In the Committee.)

#### CLASS I.

1. Motion made, and Question proposed,

"That a sum, not exceeding £48,719, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for Expenditure in respect of Miscellaneous Legal Buildings—namely, County Courts, Metropolitan Police Courts, and Sheriff Court Houses, Scotland."

\*SIR J. LUBBOCK (London University) said, when the Committee last met, the subject of the Vote for London Police Courts was discussed, and several hon. Members expressed the opinion that they ought to be paid for out of the London rates. In London, however, they maintained that, so far from being unduly favoured in comparison with other districts, they had, on the contrary, great reason to complain. He did not allude to the scanty representation accorded to the Metropolis, but to the financial treatment they experienced. A considerable part of the police expenditure was for Imperial purposes. The London police was in the hands of the Home Office, and cost no less than £1,600,000, or 5d. in the £1, while in other boroughs it was only 4d. A difference of 1d. in the £1 amounted to £130,000 a year. Again, the Hackney Carriage Licences, amounting to £38,000 a year, in other boroughs went to the borough rate. Again, in the City of London the whole of the police expenses were paid out of rates, and the Imperial Government contributed nothing. These items together placed London at a disadvantage of over £200,000 a year as compared with other boroughs. But that was not all. The President of the Local Government Board (Mr. H. H. Fowler) in his recent Report pointed out that, whereas the contribution from the Imperial Government towards local expenses amounted in other county boroughs to 10d., in counties to 9-6d., in London it was only 8-6d. Here, again, the difference amounted to over £100,000 a

year. In fact, so far from being unduly favoured, London was unfairly treated to the extent of something like £400,000 a year, and they would certainly resist any additional burdens being thrown on them. He would not, of course, go into the whole question just then; but he felt sure that when the Committee had the whole facts before them they would see that they in London suffered under a very great disadvantage in this matter.

\*MR. WHITMORE (Chelsea) said, the hon. Member for North Islington (Mr. Bartley) was rather precipitate in his method of dealing with this matter on a former occasion. There was much to be said in favour of London paying for its Police Courts. But if this change was made, they would have to go into an inquiry as to whether the Metropolis was not called upon in other matters to bear far more than its share of the public expenditure. In the provincial towns the fees and fines obtained in the Police Courts went to the Municipal Authority maintaining them, and in that way relief was given to such authority. In London at present the fees went to the State. The fees and fines received in the Metropolitan Courts, amounting in 1891 to £26,889, were paid into the Imperial Exchequer. If the proposed change was made it was obvious that this large sum should go to the local funds, to be applied towards defraying the cost of the Courts. He anticipated that the whole question of the relation between the finances of the County of London and those of the Exchequer would have to be gone into at some future time, and he hoped when that time came justice would be done to London.

\*MR. JAMES STUART (Shoreditch, Hoxton) said, the right hon. Gentleman the Member for the London University had put the case of London with such admirable point and justice that it was not necessary to add a word to what he had said to the Committee. He (Mr. Stuart) wished to express his sympathy with the observations of the right hon. Gentleman. He would not have intervened in the Debate but for the remark of the hon. Member for Chelsea, that this was a small matter as compared with others that had been mentioned. It was important that a relief should be given to London rates, in comparison with burdens in the other large

centres of the country. He would refer the hon. Member to the Report which had lately been issued by the President of the Local Government Board (Mr. H. H. Fowler). The hon. Member might have in recollection that the inequality that now existed was mainly due to the late Government, and was supported by the hon. Member's friends, whilst he (Mr. Stuart) and his hon. Friends representing London did all they could to relieve the London burdens, in comparison with other burdens as already mentioned. The Bill of 1888 established a difference between the aid given to London and County rates of 1½d. in the £1. The rates of London had been relieved of 4½d., and the rates of other County Boroughs 6d. in the £1, whereas the country districts were relieved of rather more than 5½d. It was that Bill which had introduced the great inequality between the relief given to London from the central fund and that given to the rates of the country. He and his friends had endeavoured to rectify this state of things, but were strenuously opposed at that time by hon. Gentlemen opposite, who were now endeavouring to obtain a little cheap popularity. He seconded all that had been said by the Member for London University, and hoped that, before long, relief would be given to London burdens, as compared with the burdens of other parts of the country. In bringing about that result they would be glad to see all exceptional circumstances taken into account.

\*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): I will not say anything about the allocation of Imperial Funds to local purposes at present; but as to the Metropolitan Police Courts it is said you ought not to throw on London the cost of maintaining them, unless you also give to London the fines and fees levied in them. The hon. Member said that the fines and fees are taken by the Local Authorities in the Municipal Boroughs. But I would point out that the Municipal Boroughs pay for their own Magistrates and Magistrates' Clerks, whereas the salaries of the London Police Magistrates and their Clerks are paid out of the Imperial Exchequer. There are 23 Magistrates in London, and as the salary of each is

£1,500 a year, it will be seen that the fines and fees would not cover that expenditure as well as make provision for the staff at each Court. When it is said that London has not the advantage of drawing fines and fees, I would point out that London has the great advantage of drawing on the taxpayers of the United Kingdom for amounts which ought to be paid out of the Local Funds. I admit that the whole case of London finance is a difficult question, and I should be the last to maintain that London has obtained justice under the present arrangement.

\*MR. WHITMORE said, his argument was that if London in future had to pay out of its own resources for the maintenance of the Police Courts and Magistrates, the fees and fines obtained in them should go to the London local exchequer.

MR. BARTLEY said, the hon. Member opposite (Mr. J. Stuart) had referred to some of them as trying to get popularity out of their opposition to the Vote. He would remind the hon. Member that he (Mr. Bartley) had always advocated London paying for its own Courts. He had always supported the hon. Member for Northampton in these Motions. No doubt this was part of a larger question, and when the whole subject came to be dealt with, no doubt it would be more complicated than it was at this particular time. But he thought that they ought to show that they were *bonâ fide* in their desire that the cost of maintaining the Police Courts should be borne by the localities. He was opposed to Imperial taxation assisting, as it was called, local taxation. The two ought to be kept as separate as possible. This might not be a very popular view to take of the matter, but it was a strictly financial one. These Police Courts were special to London, and were not at all of an Imperial nature. The hon. Member for Northampton had intended to reduce this Vote of £7,516 by £7,000. He had spoken very boldly, and had then run away without moving a reduction. He (Mr. Bartley), therefore, would move to reduce the Vote by £50, as an intimation that this particular item should be put upon the Local Authority.

*Mr. H. H. Fowler*

Motion made, and Question proposed, "That Item G, New Works and Metropolitan Police Court Buildings, be reduced by £50."—(Mr. Bartley.)

SIR J. T. HIBBERT: I rise to say a few words which may induce the hon. Gentleman not to press his Motion to a Division. The hon. Member for Northampton did propose a reduction in the Vote, but withdrew his Motion on the intimation that the Chancellor of the Exchequer would be prepared to deal with the question before another year came round. I will state what has taken place since we discussed this matter a few weeks ago. Since that discussion the Chancellor of the Exchequer has given instructions for a letter to be written to the County Council, and I have already undertaken the duty of writing it, setting forth the opinion of the Treasury with respect to taking this item of expenditure off the Imperial Funds and placing it on the funds of the County Council. That letter will, I hope, satisfy the hon. Member who has moved the reduction, and will give the London County Council a chance of considering the whole question. I do not think that this is the time to go into the question of Imperial finance and County Council finance, as against county finance. I have always been of opinion that this expenditure ought, in fairness to other parts of the United Kingdom, to be placed on the Metropolis; and I trust that, looking at the intentions of the Chancellor of the Exchequer, we shall be able, before another year comes round, to arrive at some agreement with the County Council with respect to this matter. I rise to say this in the hope that it will induce the hon. Member not to press this Motion to a Division.

MR. J. ROWLANDS (Finsbury, E.) said, he was pleased to hear the remarks of the Secretary to the Treasury to the effect that there would be some attempt made to alter the present arrangement, and to get purely local charges put on the Local Bodies, so that equal justice would be done all round, which ought to have been done in 1888, when the allocation took place under the Local Government Act. The right hon. Gentleman the Secretary to the Treasury had not informed them of one thing. If they were going to re-adjust the question of the Police Courts, they must re-adjust the

whole question of the civil administration of justice, and they must deal with the question of the control of the police. This was a question as to whether certain charges now borne by the Imperial Funds should be borne by the Local Authorities, and it was not a question of a reduction of £50 or £7,000; because, if hon. Gentlemen would glance at the full amount of the Vote, they would see that something like £50,000 was involved. This would have to be dealt with as a whole. He took it that the hon. Member for North Islington, in moving the reduction of the Vote, wished, as one of his Colleagues had put it, to appear very heroic. There were always hon. Gentlemen in the House prepared to give London something when it cost nothing; but when it came to going into the Division Lobby on the question of giving extended powers to London they always found those hon. Gentlemen voting against such extension. He should vote against this reduction, because he believed they could not deal with this question by a simple reduction. The moment they had an opportunity given them of dealing with the whole question of local charges they would be prepared to go into it. They would not assent to London being deprived of anything it now received until they had a thorough re-adjustment and London was treated in the same way as the rest of the country.

Mr. LABOUCHÈRE said, he did not think it necessary to go into the whole question of the amount London should receive from the general funds. The question now was simply with regard to the Police Courts—whether the Provinces ought to pay for them, or whether the cost should be thrown entirely upon London? The hon. Member opposite had said he (Mr. Labouchère) had moved an Amendment and was now going to run away. He had moved his Amendment time after time, even when the Party opposite were in power, but had never succeeded in getting a majority in favour of it. All that he cared for was that the thing should be done, and the question was what was the best way to obtain that end? It certainly seemed to him that when a responsible Minister said that he agreed with the principle, and would attempt to carry it out next year, that it would be a mistake to go to a Division.

At the present time the London County Council could not raise money for the Police Courts even if they wished. It would be *ultra vires*. If he had carried his Motion to reduce the Vote by the sum of £7,000, it would have been necessary to put the sum back on Report because it was evident that London could not go without its Police Courts, and in a lesser degree the same argument would apply to the proposed reduction of £50. But were they sure that they would carry a reduction if they went to a Division, and what would be the result if they did not? Why, it was understood that if hon. Members did not accept the pledges of the Government and went to a Division and were beaten the Government were freed from those pledges. For his own part, he desired to hold the Government to their pledges. If no action was taken in the matter by the Government next year they would go to a Division, and if they did he believed they would carry a reduction. The answer of the Government to-day, however, had been so ample and practical that he believed if hon. Members took a Division they would be beaten, and do more harm than good in the cause they were espousing.

Mr. POWELL WILLIAMS did not think the answer of the Government was a practical one. They did not deal with the particular item which was the subject of attack, but said they had written to the London County Council raising the general question of the charge for the Police Courts, and a large number of other questions involving great complications. What they wanted to do was to get rid of the gross injustice which was very deeply felt in the London constituencies of the London Police Courts receiving assistance from the Imperial Funds while the local Police Courts had to be supported locally. It seemed to him that the Motion of the hon. Member opposite was a direct attack upon that state of things; therefore, he hoped he would press it to a Division, notwithstanding the consequences the hon. Member for Northampton threatened them with.

Mr. JACKSON (Leeds, N.): I did not understand the Secretary to the Treasury to state the case as the hon. Gentleman has just put it. I understood him to say that, although there



was a very large question, he had communicated with the London County Council with reference to a particular item—the Police Courts—or that he was about to.

**SIR J. T. HIBBERT :** Was about to communicate.

**MR. JACKSON :** Presumably the communication will be made before very long. I understood the Secretary to the Treasury to go further than that, and to say that the Chancellor of the Exchequer was prepared to deal with the matter before the next Estimates are proposed. I take it, therefore, as far as the Police Courts are concerned, that this is the last time the item will appear on the Estimates.

**SIR J. T. HIBBERT :** No, no!

**MR. JACKSON :** I think the right hon. Gentleman will find that he said that the Chancellor of the Exchequer had promised to deal with it before the next Estimates. It seems, then, from what we have heard from the right hon. Gentleman the President of the Local Government Board and from the Secretary to the Treasury that the Government are of opinion that this change should be made. I think we may be reasonably satisfied with the pledge we have received. I do not know whether this promise is confined to the buildings, or whether it extends to the more important question of who is to bear the expense of the salaries of the Police Magistrates. I should have been glad if the Secretary to the Treasury had told us something on that point. It would be tinkering only to deal with the buildings and not to touch the larger question. Whether London receives its fair share is a much larger question. My impression is that the late President of the Local Government Board was of opinion that London does not get its fair share. If the point is to be raised we should have a full opportunity of examining the whole question. I should be glad if the right hon. Gentleman would inform us whether his communication to the London County Council proposes that they should consider only the question of buildings, or whether they should deal also with the question of how the charge for Police Magistrates is to be borne in future?

*Mr. Jackson*

**SIR J. T. HIBBERT :** I am anxious to confine the discussion as far as possible to the Vote, and I wish to avoid stating anything as to the larger question of the taxation of the Metropolis and as to the Police Magistrates and the police. At present the intention of the Chancellor of the Exchequer is to deal with the question of buildings. I cannot say whether the whole question of the Magistrates will be entered upon; but the London County Council will have an opportunity of dealing with the whole question.

\***SIR J. LUBBOCK** said, he could understand the desire of the Secretary to the Treasury to confine this controversy to the question of the Police Courts; but he thought that if the House of Commons were going to deal with the matter at all they should deal with it as a whole. If they were going to place the whole burden of this item on the London County Council, no one would deny that it would be difficult to withhold from them the control of the police.

**THE CHAIRMAN :** I must remind the right hon. Baronet that this Vote is for Police Court Buildings.

**SIR J. T. HIBBERT :** We propose now to write a letter to the London County Council to give that Body an opportunity of stating their views.

**MR. POWELL WILLIAMS** wished to know what was the use of making any representation to the London County Council on this particular head, inasmuch as the County Council had no legal means of taking this charge on themselves? The Provincial Corporations had power to levy a rate for Police Courts, but the London County Council had no such power.

\***SIR J. LUBBOCK** said, his contention was that as the Metropolitan Police cost no less than £1,600,000, or 3d. in the £1 on the rateable value—which was £130,000 more than ought to be paid—and considering that the Metropolitan Police discharged a great many Imperial duties, if the question was raised at all it should be raised as a whole.

**MR. HANBURY** said, he did not see the close connection between the police and the Magistrates' Courts. There was a much closer connection between the Police Courts and the payment of the Magistrates. They formed a part of the same question, and he had

been astonished to hear the Secretary to the Treasury adduce as a reason for passing the item that he was about to bring a part of the question before the London County Council. If the London County Council paid for anything at all it would have to pay for the Courts and the Magistrates too, as was done in the Provinces. Members who represented large Provincial towns could not understand why London should be placed in a different position to other towns in regard to the police and Magistrates. What was the exceptional character of the Police Courts of London? Extradition cases were heard at Bow Street no doubt, and an exception should be made in the case of that Court; but in the case of the other Courts it was ridiculous to say that they were in any sense international, or that they ought to be treated in a different manner to Provincial Police Courts. Clerkenwell, Greenwich, Lambeth, Southwark, Woolwich—all these Courts were essentially local Courts. It was in that sense that opposition was being offered to the Vote by hon. Members who represented the Provinces. He did not think the promise to refer the question to those who had no legal powers in the matter would be of any use to them.

SIR J. T. HIBBERT: I would point out that it will be impossible to introduce a Bill until we have arrived at some kind of agreement with the London County Council.

MR. HANBURY said, he and his hon. Friends said they should object to a Bill which dealt with one part of the question only. The Government would deal with the Magistrates as well as the Courts, and yet on that the most important part of the question they were not going to consult the London County Council.

SIR J. T. HIBBERT: I say we have not yet decided whether the question of the Magistrates shall be included with the buildings.

MR. HANBURY thought that if they did not get a promise that all these questions would be considered together a Division should be taken. He observed that most of the Police Courts were rented, yet he saw charges for repairs and alterations—in the case of the Thames Street Court, £315; and in that of the Southwark Court, £401. What did these charges mean?

SIR J. HIBBERT: The buildings are held under long leases.

MR. HANBURY said, that even then it seemed that they were spending large sums of money on these Courts. Before he assented to the money being voted he should require to know the length of the leases.

THE FIRST COMMISSIONER OF WORKS (MR. SHAW-LEFEVRE, Bradford, Central) said, that most of the buildings were originally taken on 99 years' leases. Large sums of money had been spent in warming and ventilating.

MR. LABOUCHERE thought it would be a great advantage if Magistrates and Courts could be brought into the same Vote; but they could not do that. This Vote affected buildings—the salaries were on the Consolidated Fund. If the Motion to reduce the Vote were carried it would only affect the buildings, and would in no way prejudice the question of the salaries of the Police Magistrates. The only way they could raise that question would be on the question of the salaries of the Police Commissioners, or of the salary of the Chancellor of the Exchequer. He agreed that all these charges ought to be thrown on the Metropolis; but they would not advance the matter further even if they carried the reduction of £50. Indeed, they would prejudice these cases if the Division went against them. It was, therefore, very much as the Prime Minister said the other day, "Heads I win, tails you lose." If anyone could show that, by dividing against this Vote, the Committee would in any sense put the Government under an obligation of taking the salaries of the Police Magistrates off the Consolidated Fund, he should certainly divide against it. That, however, would be impossible, because that was not the question raised by the proposed reduction. The proper course to adopt was to move a reduction of the salary of some Minister who was responsible for the present state of things. If such a reduction could be carried, the Committee might be absolutely certain that the reform which so many Members desired would be carried out in the following year.

MR. A. C. MORTON (Peterborough) said, he had voted on two or three occasions against this charge being put upon the Consolidated Fund, and he

should have done so this year but for the undertaking given by the Chancellor of the Exchequer that he would endeavour to meet the views of hon. Members before the next Budget. He had always objected to London being put in a different position from other large towns. To his mind it was somewhat disgraceful to London that the Metropolis was not allowed to manage its Police Courts and its Police Force in the same way as other towns. Next year, if the Chancellor of the Exchequer did not carry out his undertaking, he (Mr. Morton) should certainly join in attacking the Vote.

MAJOR RASCH (Essex, S.E.) said, he was sorry that the hon. Member for Northampton (Mr. Labouchere) was not going to vote for the reduction; but he could not help admiring the hon. Member's flexibility and adaptability. The hon. Member seemed to change his opinion as he changed from one side of the House to the other. As the Representative of an agricultural constituency, he (Major Rasch) thought he should not be doing his duty to his constituents if he did not support the Vote. He could not conceive anything more unfair than to pay out of the taxes for the maintenance of the London Police Courts, when people in the country had to pay for their police out of their miserable local rates. With wheat at 25s. a quarter, it was rather hard that the Government should exempt any localities from the payment of taxation which they clearly ought to pay, and should refuse absolutely to give any assistance in the direction of reform, beyond writing a letter to the County Council, which the Council would probably not answer.

\*MR. FREEMAN-MITFORD said, the present state of things was altogether indefensible, although it was evident that any alteration must be of an extremely complicated character. At the present moment there was nobody to whom these buildings could be handed over if the Government gave up the control of them, because there existed no Body with any funds which would enable them to look after them properly. He thought Bow Street stood in altogether an exceptional position, as it was, perhaps, the one Police Court in this Metropolis which had a distinctly Imperial character. Something had been

said about the necessity, if the Police Courts were handed over to the Representatives of London, of handing the Police over also. That was an absolute and entire *non sequitur*. There was no reason why the Metropolitan Police should not remain under Government control, whilst all the Police Courts except Bow Street were handed over to the London County Council.

Question put, and negatived.

Original Question again proposed.

MR. A. C. MORTON wished to know why the Commissioners of Works had not bought the freehold of the South Western Police Court site instead of putting up an expensive building on a leasehold site? It was well known that after erecting a building the land on which it was built could not be obtained as cheaply as before the building was put up.

MR. SHAW-LEFEVRE said, the transaction referred to by the hon. Member occurred before he himself went into Office, and all he could say was that the Government were anxious in every case to obtain the land on which their buildings were erected.

MR. POWELL WILLIAMS (Birmingham, S.) said, he observed that the cost of new works for the Sheriffs' Courts of Scotland was divided equally between the Local Authorities and the Crown. He was informed that this arrangement was due to the fact that the Sheriffs' Courts had criminal as well as civil jurisdiction. But he would like to ask on what principle the cost was divided equally between the Local Authorities and the Crown?

MR. SHAW-LEFEVRE said, the amount was arrived at some years ago on a rough estimate that one-half the business of those Courts was of a criminal and the other half of a civil character.

MR. POWELL WILLIAMS said, he wished to get at the principle on which the payment was made. Suppose in the case of Airdrie the criminal side of the Court needed greater accommodation, and it was necessary to expend £1,000 on that increased accommodation, would the Treasury take no cognisance of that fact, but still pay half the cost? If so, it was perfectly clear that the Crown

*Mr. A. C. Morton*

was contributing to Scotland considerable sums annually for the purpose of local criminal business, although it was making no such contribution to England.

MR. SHAW-LEFEVRE said, that in the hypothetical case stated by his hon. Friend it would only be reasonable to take into account the fact that the increased cost was due to the need of further accommodation on the criminal side.

Original Question put, and agreed to.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £22,951, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1894, for Expenditure in respect of Art and Science Buildings, Great Britain."

DR. FARQUHARSON (Aberdeenshire, W.) asked what the sum of £2,850 for new works, alterations, and additions meant?

MR. HANBURY wished to ask a question as to the item for additions to the Assyrian collections in the British Museum. He was personally glad that such additions were being made, and should like to know of what they consisted. From his own experience he could say that there were places in Assyria where one could see lying on the ground for almost the first comer to pick up very valuable winged bulls, and other monuments of antiquity, covered with inscriptions. These would be very valuable additions to the British Museum, and he wished to know whether the Museum authorities were obtaining any of them?

MR. SHAW-LEFEVRE said, that what the hon. Member desired had, he thought, practically been carried out. A large number of Assyrian sculptures were being put into place, and it had been found necessary to remodel the room for the purpose.

MR. HANBURY said, that was not his point. What he had said was that, for historical purposes, it would be well if the Government saw whether it was possible to bring to this country a number of the Assyrian sculptures at Nineveh, which could be had almost for nothing, and which he had been assured by those conversant with the matter were of great value.

MR. BUCHANAN (Aberdeenshire, E.): On a point of Order, Mr. Mellor. Is not the hon. Gentleman out of Order in bringing this question up on a Vote for Buildings?

THE CHAIRMAN: Strictly speaking, that is so; but the hon. Member is merely asking a question.

MR. SHAW-LEFEVRE: I have explained that the Trustees of the British Museum have already a greater accumulation of those Assyrian sculptures than they can find room for.

\*MR. FREEMAN-MITFORD asked whether the item of £250 for Sanitary Works at the British Museum would complete the works, or was it likely that additional expenditure in that direction would appear on future Estimates?

MR. SHAW-LEFEVRE: It is to be hoped that the expenditure of this sum will put the drainage into a proper condition; but I may say that the drains are old, and are not up to modern requirements.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton) drew attention to the inadequate lighting of the British Museum. He owned that the question was not a novel one. It was brought up year after year. And year after year, Ministers made promises that something would be done to effect an improvement; but nothing was ever done. Considering the efforts that were being made to educate the working classes through the agency of the Free Libraries and similar institutions, it seemed a pity that such a great educational institution as the British Museum could not be lighted at night when the working classes had time to visit it. The stock argument against the lighting of the Museum was the danger from fire; but that danger was now obviated by the great perfection to which electric lighting had been brought. He hoped, therefore, that the right hon. Gentleman would be able to give an assurance—not that the work would be carried out this year, for the expense would be too great for one year—but that the matter would not be practically shelved.

MR. LAWRENCE (Liverpool, Abercromby) said, he understood that a considerable sum had been spent in improving the lighting of the Museum; and he would like to know whether any appreciable increase in visitors had followed?

Some time ago he used to go in the evening to South Kensington, and from his experience there—

**THE CHAIRMAN** : I do not think that matter is properly raised on this Vote, which is for buildings.

**MR. A. C. MORTON** asked whether the First Commissioner of Works intended to get the Assyrian bulls referred to by the hon. Member for Preston. He did not know much about Assyrian bulls, or whether there was any connection between them and three acres and a cow—

**MR. BUCHANAN** : Mr. Mellor, is the hon. Gentleman in Order on this Vote ?

**MR. GIBSON BOWLES** : I wish to ask you, Mr. Mellor, whether an Assyrian bull is not a building ?

**THE CHAIRMAN** : The hon. Member for Peterborough is clearly out of Order.

**MR. A. C. MORTON** said, he saw an item of £2,000 for the new Assyrian rooms at the British Museum. He wanted to know whether it was intended to provide a room for the Assyrian bulls ?

**MR. SHAW-LEFEVRE** : There is a large amount of Assyrian sculpture to be provided for, and the Vote is intended to procure the necessary accommodation for sculpture that cannot now be shown.

**MR. PARKER SMITH** (Lanark, Partick) drew attention to the inadequate accommodation for readers in the Reading Room of the Museum. He had been there several times, and had found the place so full that it was extremely difficult to get a seat. He thought it was a great deal more important, from the point of view of the convenience of the British public, to provide room for readers than room for Assyrian bulls at the Museum. It would be a great public advantage if an additional Reading Room were provided for the benefit of the old gentlemen who went to the Reading Room for the purpose of spending a placid if not an instructive day there.

**MR. SHAW-LEFEVRE** : There is no provision this year for increasing the accommodation in the Reading Room. I quite agree with the hon. Gentleman that the pressure on the accommodation in the Reading Room is becoming an urgent question ; and I have no doubt

that if the Trustees of the Museum press for an increase in the accommodation it will be the duty of the Government to provide it.

**MR. PARKER SMITH** : I wish to ask the right hon. Gentleman whether any representations have been made to him by the Trustees of the want of accommodation ?

**MR. SHAW-LEFEVRE** : Not while I have been in Office.

**\*MR. JACKSON** : I notice a sum of £900, a Re-Vote for the conversion of the Medal Room into an Exhibition Room for gold ornaments. I was responsible, more or less, for putting £900 for this purpose on the Estimates last year, and I judge from the fact that it is stated to be a Re-Vote that none of the £900 voted last year was expended. Perhaps the right hon. Gentleman will tell us why no progress was made with the work last year, and whether any progress will be made with it this year ? I remember that this work was pressed on the Treasury with great assiduity, and we could never have sanctioned the £900 unless we were satisfied at the time, not only that the work was necessary, but that there was an immediate intention of carrying it out. Let me add that the noble Lord the Member for Brixton has done some injustice to those who are responsible for the lighting of the Museum ; for when I was at the Treasury we sanctioned the necessary expenditure for introducing the electric light. The work was carried out under the supervision of Mr. Preece, the Electrical Engineer of the Post Office, and I understand it gives the greatest satisfaction.

**MR. SHAW-LEFEVRE** : In answer to my right hon. Friend, I have to say that it is intended to provide a Library and Students' Room ; but the work could not be proceeded with in consequence of no room being ready into which to transfer the medals. I understand the work will be proceeded with this year.

**MR. GIBSON BOWLES** said, he was under the impression that there was a large Library at the Museum already, and he would like to know why an additional Library was required ?

**MR. SHAW-LEFEVRE** : I am afraid I cannot give the hon. Member any information about this Library and

Students' Room. It was a work undertaken last year.

\*SIR RICHARD TEMPLE (Surrey, Kingston) said, he desired to urge on the Government the necessity for developing the British Museum, which was probably the finest institution of its kind in the world, and was the glory of the British nation. The question was whether due provision was made year by year for the development of the institution? The opinion amongst those who were best versed in literature, science, and art was that the provision made was of a scanty and insufficient character. They did not take sufficient care to add to their magnificent and world-renowned collection from the different regions under the influence of the British Crown—

THE CHAIRMAN: The Vote before the Committee relates to the buildings of the British Museum, and not to the policy of the Trustees of the British Museum.

\*SIR RICHARD TEMPLE said, he wished to urge the importance of adding to the collections, and, no doubt, the first step in that direction was to provide additional building accommodation. Then he wished to say that the electric lighting apparatus of the Museum must be deficient, because the Museum was not regularly lighted by the electric light at times convenient for the working classes. From an educational point of view, it was most important that the Museum should be lighted every evening, and, if not every evening, on certain evenings of the week for the benefit of all those who desired access to the collections.

MR. PLUNKET (Dublin University): I wish to call the attention of the First Commissioner of Works to the fact that there is no provision in the Estimates for the year for the prosecution of the scheme for completing the building of the Museum at South Kensington. The Committee are probably aware that there was a sum of £5,000 voted last year as a preliminary to the prosecution of those buildings, and I wish to tell the Committee very briefly how the matter now stands. This matter has excited a great deal of public interest for a long time. The condition of the buildings of South Kensington Museum on the east side of Exhibition

Road, fronting the Brompton Road, are really a scandal to that part of London; and we have been pressed not only by men of science and art who are interested in the proper housing of our most valuable treasures of art and science, but also by the residents of the locality, who naturally complain of the very unsightly condition in which the buildings are allowed to remain. I am glad to say that we took steps to begin this most necessary work. In 1890 the late Government invited eight eminent architects—four of whom were nominated by the Institution of Architects and four by the Office of Works—to enter into a competition for providing designs for the building, with the result that the very handsome designs of Mr. Aston Webb were accepted. In the Estimates for 1891-2 a sum of £5,400 was voted for the expenses of the competition amongst the architects, and in the Estimates last year a sum of £5,000 was provided for the purpose of erecting temporary buildings into which it will be necessary to remove the valuable treasures before the new building can be commenced. I am sorry to see that there is no provision in the Estimates this year for carrying the project further; and I should like to ask the First Commissioner of Works why it is the work of providing proper accommodation for these national treasures at South Kensington, which are at present housed in very inadequate and very insecure buildings, is not continued this year?

MR. SHAW - LEFEVRE: I can assure my right hon. Friend that, personally, I fully sympathise with what he has said on this subject, and I hope that at an early period the works he has indicated will be carried out. I agree with him that it is extremely important that increased accommodation should be provided at South Kensington. The present buildings are extremely indifferent, and the plans to improve and enlarge them decided upon by the right hon. Gentleman have, I believe, given general satisfaction. The estimated cost of the new buildings, however, is no less than £400,000, and the right hon. Gentleman will not be surprised that the Treasury hesitated about beginning a work of such magnitude, at all events when they already have very large works on hand. The expenditure on new

works this year is more than double that of the last four or five years, having risen from £150,000 in 1887-8 to £388,000 in the present financial year. In view of that large expenditure, it would not have been wise on the part of the Government to have undertaken, at least until the public buildings of different kinds now in progress are completed, another great work involving an expenditure of £400,000.

DR. FARQUHARSON said, the necessity for this very heavy expenditure had not been made quite clear. They had at South Kensington a very large amount of unused gallery space, sufficient, he believed, to meet any demand on them for the accommodation of works of art; and he would, therefore, like to have an explanation what further buildings were needed. He was bound to say he thought the expenditure on this proposed gallery was of a very unnecessary kind; but he would like to urge an expenditure for a different purpose, for which he saw no provision in the Estimates, and that was to procure additional accommodation for teaching at South Kensington. The conditions under which teaching in science was carried out there was hardly creditable to the country. There was a great deal of important work not only of a teaching character, but of an original and investigatory character, carried on at South Kensington under conditions that would disgrace a fifth-rate University in Germany or any other foreign country. He hoped, therefore, that the First Commissioner would be able to give an assurance that proper accommodation would be provided at South Kensington for carrying out this great national work.

SIR W. HART DYKE (Kent, Dartford): I must call the attention of the Committee to the very unsatisfactory reply of the Representative of the Board of Works with regard to South Kensington Museum. This is no new complaint about the state of the buildings at South Kensington and their surroundings. No doubt the sum required for these buildings is very large, and in the present state of the Exchequer no hon. Member would propose that a very large amount should be at once voted. But what I complain of is that no effort whatever is made in these Estimates to alter the existing disgraceful state of things at South Kensington.

*Mr. Shaw-Lefevre*

The outside appearance of those buildings is a disgrace to our civilisation. The First Commissioner of Works has been especially unfortunate in regard to this question. In 1882—11 years ago—the present President of the Board of Trade wrote that the Committee of Council expressed their satisfaction at learning that the Lords of the Treasury were going to take steps in the next financial year with a view to the completion of those buildings; and in the Estimates of 1883-4 a sum of £5,000 was inserted by the right hon. Gentleman who was then also First Commissioner of Works on account of the south-west wing. The proposal was attacked by the hon. Member for Northampton, and the right hon. Gentleman did not think it would be wise to press that part of the Vote, and so he withdrew it. Now, there is another withdrawal of £5,000 from the Estimates, and the right hon. Gentleman does not say that there is a probability of a sum being taken for the purpose even next year. I am not making this a question between Her Majesty's Government and the Opposition, and I am making no personal attack on the right hon. Gentleman. What I do complain of is the studied neglect shown by Her Majesty's Government and the Office of Works with respect to those buildings. What is the present state of affairs at South Kensington? There is a quadrangle filled with several wooden buildings covered with some hideous corrugated iron; the buildings are of the most inflammable materials, and are placed next to a collection of the most valuable kind in the world, estimated to be worth over £2,000,000. But what I am anxious to press above all is the want of accommodation within the buildings themselves. In 1882 my right hon. Friend the First Commissioner of Works wrote, as I have already shown, to the Treasury, stating that the accommodation was deplorable. But since then the work carried on has doubled or trebled. Since drawing was made compulsory in the elementary schools, the number of schools sending work to South Kensington for examination has gone up from 4,500 to 20,000. For many years past the examination work has been carried on in passages where the water trickles through the roof on to the papers, and even over the staircases of the

building. That is a most disgraceful state of affairs. It is really like spoiling the ship for a halfpenny worth of tar. The rest of our educational system has risen by £3,000,000 a year. No one objects to it, for a better policy of insurance no nation could have. But, surely, in order to assist the great work of education, we ought not to hesitate about spending £5,000, which would, at least, commence the necessary buildings. Instead of that, we are brought face to face with the fact that we have no pledge whatever from Her Majesty's Government that even next year this paltry sum of £5,000 will be voted for those buildings. That state of things at South Kensington cannot be remedied for four years—that is, not before 1897, for it will take at least four years to complete the buildings. With the consent of both parties a Museum has been made at South Kensington where art objects are displayed, and it is one of the best educational institutions in Europe. There is at South Kensington a splendid collection of art objects, which are sent from that place and circulated at local Museums throughout the country. That shows the great educational value of the institution. Technical education is also carried on under the auspices of the Science and Art Department. There has been a great increase in the work of the Department through the spread of technical education, and I hope it will be soon doubled and trebled. I trust I have said enough to show to the Committee and all the inhabitants of the Metropolis that this question of the South Kensington buildings should not be allowed to sleep. Parliament ought to insist that, either by this Government or by another—for I acknowledge that both Governments are to blame in this matter—the grave state of things to which I have called attention should at once be remedied. I only wish that the Chancellor of the Exchequer when he got his fingers into the Treasury Chest the other day had taken out £50,000 for this purpose, and had the right hon. Gentleman done so I am sure it would have met with the approval of the country. I hope, therefore, that another year's Estimates will not be framed without some prospect of this condition of affairs at South Kensington being remedied.

MR. LABOUCHERE (Northampton) said, he agreed with the right hon. Gentleman that in questions of this kind there was little to choose between one Government and another; but still it seemed they had had some advantage in this matter in having a Conservative Government turned out and a Liberal Government placed in power. The right hon. Gentleman had told the Committee that a disgraceful state of things prevailed at South Kensington, and that the rain trickled down on the unfortunate examiners. But who was responsible for this for the last six years? The Conservative Government. Instead of buying some silly old cabinet for 50 times its value, if they had mended the roofs at South Kensington they would have protected the examiners from the rain, and saved a considerable amount to the country. Then the right hon. Gentleman said, "We want more space; look at the vast number of things we are sending round the provinces." But surely that was a reason why they did not want more space. Let them send more things round the provinces, and then the pressure on space at South Kensington would be relieved. He asked the Committee to consider what they had heard from the right hon. Gentleman the Member for Dublin University. The right hon. Gentleman calmly stood up and told them that £5,000 had been expended upon the architect's plan for the proposed buildings; and that when the plan was accepted it was found it would not do and had to be altered.

MR. PLUNKET: What I said was that there were some slight alterations suggested by the Office of Works and by the Science and Art Department, but they did not interfere with the plan.

MR. LABOUCHERE said, the plan was impracticable, and alterations were proposed by the Science and Art Department and by the Office of Works. He did not think much of that plan, and he thought it cost a great deal too much when they had to spend £5,000 on it. Then, after they had been told that £5,000 had been spent on the plan, complaint was made by another right hon. Gentleman that the £400,000 necessary for the buildings was not spent.

SIR WILLIAM HART-DYKE: I stated that I would not support a scheme for spending the money at once.



MR. LABOUCHERE said, no Government wanted to spend the money at once. They slipped in a little Vote—a mere trifle; next year there was another Vote, and when complaint was made, it was—"You are pledged to the work, and will you waste the £10,000 that have been spent on it?" He rejoiced that there was not a shilling for the work on the Estimates. He was thankful that they had got a Chancellor of the Exchequer who was a jealous guardian of the Public Purse. He was thankful to say that the Chancellor of the Exchequer probably shared his objection to this wild and reckless and useless expenditure at South Kensington. Let them have it as a centre for examinations, as an exhibition of works of art, and as a means of sending those works over the country for pleasure and instruction, and South Kensington was, no doubt, in that way a valuable institution, but it was reckless and outrageous to suggest that they should be asked to spend £400,000 more in building a new gallery without even knowing what they were to put into it. He hoped the Chief Commissioner of Works would firmly oppose it, and he would give him his support; but if the right hon. Gentleman took the advice of right hon. Gentlemen opposite, who took care not to vote the money while they themselves were in Office, and proposed this expenditure, he would give it his most strenuous opposition.

An hon. MEMBER said he strongly opposed any such expenditure as that suggested for new galleries or extension of buildings, but there was one item in the present Estimates which he supported. That was a sum of £2,500 for making the gallery in which the Raphael Cartoons were exhibited fireproof. It was certainly a most reprehensible state of things that these priceless works of art should have been allowed for years to be exhibited in a gallery which was liable to be destroyed by fire. He hoped the gallery would be made fireproof without the least delay.

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): I desire to refer to some of the observations made by my hon. Friend the Member for Northampton, who at Question time made an appeal to me when I answered a question of the hon. Member for Bordesley, as to the

money spent in existing local museums, that Northampton should get its share. Well, I wish to say that this money for buildings is not merely for new galleries for exhibits, as hon. Members seem to suppose. A good deal of work of arranging specimens for circulation amongst the museums through the provinces is carried out at present in buildings which are not waterproof, or in any way in a favourable condition for the work. And when the hon. Member sneers at the Government for buying what he calls "a silly old cabinet" he should remember the purpose for which objects of the kind are purchased. The *raison d'être* of the Museum is that it should be a collection of splendid works of art having a close relation to the industries of the country, and a very large number of the working classes, who know what good work is, are of opinion that the money expended on South Kensington has been well spent on the whole. The object in view is, and should be, to make the Museum, as an educational institution, effective in every respect; to see that the arrangements for circulating specimens among local museums and other work of the institution are carried on in decent and convenient buildings, and by degrees to relieve the present overcrowded condition of the courts and galleries, so that the great works of art may be seen to advantage. I regret that the state of the national finances do not allow us to move faster in the matter. The whole question of Science and Art in this country is bound up with the Museum, and I say that the present condition of things at South Kensington is therefore a matter which all Governments alike should desire to see remedied.

MR. JAMES LOWTHER (Kent, Thanet) said, he had a great deal of sympathy with the protest of his hon. Friend the Member for Northampton against any additional expenditure at South Kensington. He remembered that some years ago there was a large Party in the House who regarded the whole institution at South Kensington with a great deal of suspicion, and he admitted that he was an embodiment of old and obsolete ideas, so far as that he had not absolutely divested himself of those sentiments. But he thought the expenditure of an adequate sum to keep the buildings in proper repair should not

be grudged by any Party. What he wished to draw attention to was that the First Commissioner of Works had not answered the question with regard to the lighting of the British Museum. As to the lighting of a great national institution like the British Museum, he thought the Government ought to have ascertained that they were proceeding on a right principle. Great disappointment had attended the efforts of those who had sought to apply the electric lighting system to many of our buildings, and he thought his noble Friend the Member for Brixton was quite right in asking for assurances on this point. He ventured now to ask the right hon. Gentleman to explain what steps he had taken to meet the requirements of those who used the British Museum at night, and how far the amount which appeared in the Estimate as the amount which was to be expended in that direction would meet the requirements of the situation.

**MR. SHAW-LEFEVRE:** The right hon. Gentleman has adopted a very inconvenient course in going back.

**MR. JAMES LOWTHER** said, that so far from going back the right hon. Gentleman had not replied to the inquiries which had been addressed to him.

**MR. SHAW-LEFEVRE:** Discussion has arisen already on this matter, and I thought the Committee had passed from the British Museum to South Kensington. In point of fact, the greater portion of the British Museum is lighted by electricity, and a great portion of it is open to the public, but not the whole of it, the same night. I agree that the result has not been altogether so satisfactory as was expected, and that the attendance of the public has not been so large as was expected; but, at the same time, there is no occasion whatever for reducing the present facilities.

**MR. PARKER SMITH**, alluding to the electric lighting of the British Museum, asked if the right hon. Gentleman could give them any facts as to the number of people who attended the British Museum in the evening; whether the experiment of lighting up the Museum was tried mainly at the instance of the House of Commons; and whether it was not the fact that the attendance at the Museum consequently on its being opened in the evening had been very small, and was diminishing? He was

afraid the experiment of lighting the British Museum by the electric light so as to keep it open at night had not been attended with success, and there was not much prospect of it being so in the future. It was a costly matter to have the Museum opened at night; and seeing that the amount which the Treasury could vote for the service of the British Museum was limited, he thought the money might be expended to much better purpose. With regard to South Kensington, he called attention to the fact that they had there two galleries with almost the best light in the world for pictures, and these were at present devoted to diagrams and magnifying models of the insides of insects, &c. These were, no doubt, very useful objects, but they did not need the perfect light which was needed for pictures. He thought everything that had been said was true as to the crowded chaos that existed on the east side of Exhibition Road. He congratulated the Government on the new appointment of Director that had been made at the South Kensington Museum. The gentleman who had received the appointment had a power of scientific arrangement, and by proper scientific arrangements, and by getting rid of duplicate casts—the originals of which might be seen at Bloomsbury—they would find that further room might be utilised. The accommodation for science teaching at South Kensington was absolutely and grossly inadequate. The rooms in which the science work was conducted were scandalous and would disgrace a country School Board or a provincial town, not to speak of a German University. He hoped the Government would give the Committee an assurance that they were prepared, without further delay, to carry out some scheme by which a proper, suitable, and adequate building for the teaching of science would be provided, and that they would no longer be content with the present miserable makeshifts.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

\***SIR RICHARD TEMPLE** said, his only reason for rising was because of the educational aspect which had been given to a portion of this Debate. The Committee had heard a very strong statement

from the late Minister of Education—than whom a more competent authority they could not have—as to the utter insufficiency of the accommodation for conducting the various examinations in Science and Art, and especially in elementary drawing. The right hon. Gentleman had pointed out the growing expansion of that branch of elementary education—namely, the instruction of pupils in drawing, most of whom had to be examined ultimately in South Kensington, and the question before the Committee was not the style of examination or the mode of conducting it, but the deficiency of the accommodation provided for holding such examinations. The hon. Gentleman who had last spoken had said that no Education Department in Europe and no School Board in England would tolerate such accommodation. Of course no School Board would, and certainly the School Board for London would not. But he must point out that between our Parliament and the School Boards there was an essential difference in providing accommodation. School Boards provided it from capital account; they borrowed for it; but in the House of Commons a different policy was pursued. If a School Board had to provide this accommodation they would do it at once, but that House must do it by degrees, because whilst a School Board borrowed, Parliament had to defray the cost from current revenue and thus they had the delay which scandalised the nation and impeded the progress of education as well as of many other branches of national life. That was the kernel of the question, and of course there was much to be said for the Parliamentary practice. What they required in this case was an outlay of a sum of £400,000 which would supply their wants. As they could not obtain that sum they could not undertake the work, as it was no good attempting to spend £400,000 by dribblets, and all that could be done was to provide this £15,000 or £16,000 for keeping the present temporary buildings in a tolerably satisfactory condition. He believed that was the outcome of the question, and what that House was about voting was the money for providing temporary accommodation or remedying the deficiencies, faults, and shortcomings which the late Minister of Education had so properly

pointed out, and certainly there were no signs of extravagance in this respect; for, while the deficiencies became more and more glaring every year, the amount voted for that House became slightly less. They were now absolutely going to vote £2,000 less for this object than they voted the previous year. Under these circumstances he could not understand the hon. Member for Northampton when he talked about squandering money on South Kensington. Could it be said that money devoted to the purposes he had mentioned was squandered? Such language would not be popular with the new democracy, inasmuch as the students were drawn from the humbler classes and from all parts of the country, in order to pursue their studies and to pass their examinations there. Was it, he asked, likely to be a popular thing to decry this expenditure and say it was not wanted, and that students and prize-winners were to be treated as if the nation despised them and their occupation? On the contrary, the nation desired to receive them with true national hospitality, and in a manner in which students of this character, drawn from all classes of the nation, ought to be received. The hon. Member for Northampton went on to say that the money ought not to be spent at South Kensington at all, and that some better place ought to be found. But he would point out that South Kensington was the finest technical institution in the world, with immense ramifications, exercising a world-wide influence, so far as the English-speaking races were concerned, and it was to that great national centre students from all classes were invited. It could not be an unpopular thing on the part of the governing classes to provide the finest, handsomest, and most attractive site to be found in the whole of the Metropolis. He contended that this Vote deserved the approval of the Committee, and the only question was whether it ought not to be larger. If the money could not be given this year it might be given next year. He regretted the disparaging expressions that were sometimes used in that House with reference to the objects of art which were collected in South Kensington, and which were not merely matters of curiosity, but which were required for affording object-lessons to the students, and, therefore, it was very important

that sufficient money should be voted for their proper accommodation. He would desire to say a few words about the Natural History Museum. Whatever objection might be urged to the accommodation in the other buildings, he believed that certainly the accommodation in the Natural History Museum was extremely fine. The museum collection itself was well worthy, he thought, of the large buildings in which the objects were placed—buildings not only so elaborate as to attract the popular taste, but suited in every way for scientific instruction, and unsurpassed in any country in the world. Well, then, they had certain subsidiary matters in connection with all these buildings, and money was required for the workshops that were necessary to be kept in operation at the museum. If the development of the institution was to be properly cared for, it must be through the establishment of a staff of trained artificers and scientific workmen, and fair and full accommodation for such men. It did seem to him that more might be done in that direction, because, when they looked at the specimens that had been collected and placed in these fine buildings, it was not unreasonable that they should ask for a moderate sum to provide for the subsidiary works. That was not much to ask for in respect of institutions which were an honour and a credit to the nation.

Mr. JESSE COLLINGS (Birmingham, Bordesley) said, he had listened with very great pleasure to the speech of the hon. Baronet. There was one point about which he was not quite correct, however, and that was as to the amount spent on South Kensington. It was a mistake to say that that amount was small, for he (Mr. Collings) recollected that last year there was a Supplementary Vote for it, apart from the regular Vote, of something like £100,000. The administration of the Department was not such as commanded the approval of many provincial Members. If the institution was to gain the favour of the country it must make itself national in a truer sense. He was disappointed with the meagre speech of the Vice President (Mr. Acland), because he could not but contrast it with a speech he made a year or two ago, bringing the late Government to task in the strongest manner on account of the

manner in which South Kensington was conducted. The right hon. Gentleman then pointed out the great national importance of South Kensington, and called for more accommodation. How was it they heard nothing about that now? How was it he did not dwell on these points in the speech he had just delivered? He spoke of providing additional accommodation, but of doing it by degrees. What step had he taken in the present Estimates to provide for this? There was an item of £2,850 for works; but that could not go far. The right hon. Gentleman had it now in his power to give effect to the ideas contained in the speech which he delivered on the subject while the late Government was in Office, but he did not attempt to do so. He agreed with him that a penny-wise and pound-foolish policy was not right where a great national work was concerned, and he hoped they would have some more information as to the intentions of the right hon. Gentleman. The late Government spent £100,000—

Mr. ACLAND: No.

Mr. J. COLLINGS said, at all events, they got the Vote for that amount.

Mr. ACLAND was understood to dissent.

Mr. J. COLLINGS said, he might be astray as to the amount, though he did not think he was. He would put it to the right hon. Gentleman the late Secretary to the Treasury (Mr. Jackson) was that not the amount voted?

Mr. JACKSON nodded assent.

Mr. J. COLLINGS said, that being so, what was the right hon. Gentleman now prepared to do on behalf of the present Government? He noticed that the hon. Member for South Birmingham (Mr. Powell Williams), for the first time while this Vote was under discussion, was not present. That hon. Member used to complain also of the accommodation. Surely they were entitled to further explanation? The Vice President, in speaking of the national character of South Kensington, told them of the large numbers of the working classes who visited the place. Why, more of the working class population visited the museums in Manchester, Glasgow, and Birmingham in one week than visited South Kensington in two months. If the right hon. Gentleman wanted accommodation, let him take some dozens

of the objects at South Kensington, and send them to the provinces, where the working classes would see them, and where they would be useful. That would give him, temporarily at any rate, additional space. His opinion was that South Kensington had been carried on, of late years, with a hide-bound officialism. If its collections, or duplicates of them, were sent to the provinces with greater liberality, there would not be so much outcry about want of space in the Museum. Before sitting down, he wished to ask what arrangements had been made to cope with any outbreak of fire at South Kensington. Having in his mind a painful recollection of the great fire in the gallery and library at Birmingham, he was anxious to know that the priceless treasures which the country possessed at South Kensington—and which could never be replaced—were secure from fire as far as science and human ingenuity could provide. He hoped the right hon. Gentleman would not rest content with an official assurance, but would have the very highest scientific evidence, and a professional assurance, for, like his hon. Friend behind him (Mr. A. C. Morton), he liked the advice and assistance of professional men in matters of such great importance. It was not enough to go to the Chief Librarian and hear from him that all was secure. There was a higher authority somewhere in London, and he wanted to know whether the Government had taken steps to secure the advice of that authority. It would not do to wait, for, as he had said, they could not replace these treasures if they were lost.

MR. SHAW-LEFEVRE said, the Government attached great importance to this subject, and they had included in the Estimates a Vote for £2,500 for the construction of a fire-proof roof for the South Kensington Galleries. They would take an early opportunity of asking for power to make an addition to the South Kensington buildings in order to provide the necessary accommodation. In his view, there ought to be a fixed sum taken every year for additional buildings and for repairing the existing buildings. The Government had spent a good deal of money for these purposes in London during this year, and he did not think that they would be justified in spending any more at present.

*Mr. J. Collings*

MR. JACKSON said, he had heard a good many unsatisfactory answers to questions in that House, and he was sometimes conscious of the unsatisfactory character of the answers that were being given, but he had never listened to an answer which was so unsatisfactory as that which hon. Members had just heard from the right hon. Gentleman on this most important subject. The right hon. Gentleman had said that this Vote ought to be maintained at the same amount each year, but he forgets that the late Government had doubled the amount of the Vote during the last four or five years.

MR. SHAW-LEFEVRE said, that the late Government had reduced the amount of the Vote at first.

\*MR. JACKSON said, however that might have been, the late Government had eventually doubled the amount of the Vote. It was clear from the language of the right hon. Gentleman that neither he nor the present Government thought that Science teaching was a matter of much importance.

MR. SHAW-LEFEVRE: A matter of great importance.

MR. JACKSON wanted to know was that the reason there was not in the Estimates a Vote for a shilling for the extension of the buildings appropriated to Science teaching at South Kensington?

THE CHAIRMAN: I would remind the right hon. Gentleman of the subject of the Vote.

MR. JACKSON said, he was speaking of the provision made for South Kensington. The buildings at South Kensington were being neglected. What were the facts? It could scarcely be disputed that the provision for Science teaching at South Kensington was inadequate for the requirements of the Department. The Government ought to utilise for the purposes of the Department the land that was bought for the purpose of extending the buildings by the late Government. That Government most reluctantly arrived at the conclusion that it was absolutely necessary to provide additional accommodation for the Department, in view of the fact that the clerks had to discharge their duties in passages instead of in rooms. As Secretary to the Treasury in that Government it was his duty to fight against the demands made on the Treasury. The

Chancellor of the Exchequer had no friends in the House of Commons when it came to an expenditure of this kind. The objections were raised from time to time ; a Committee was appointed to see whether by any re-arrangement of the articles in South Kensington it would be possible to find additional space. The Committee was presided over, he thought, by Sir J. Evans, of the Royal Society. An important Report was presented by that Committee, and the conclusion came to was that, unwilling as the Government might be to add to the demands on the Treasury for new buildings, Post Office sites, and other undertakings, still they were bound to go on with the South Kensington extension, or at least that they should make ready to enter upon it when the Report came before them—

MR. SHAW-LEFEVRE: They did not pass it.

\*MR. JACKSON said, they did what might be expected. They arranged for plans for new buildings, and had a substantial sum expended on temporary buildings. So much importance was attached to the matter that the late Mr. William H. Smith (his right hon. Friend the then Chancellor of the Exchequer) and himself went out to South Kensington, and saw the condition of things for themselves, trying to find out in every way whether they could postpone the expenditure. So impressed were they with what they did see that they were compelled to make the provision to which he had referred. Altogether, the late Government expended in two years some £10,000 in connection with the preparation of plans and the provision of temporary buildings. The answer of the right hon. Gentleman was unsatisfactory, because it left it in complete doubt whether the Government proposed to carry out the scheme of the late Government, or intended to allow the whole proposal to fall to the ground. The right hon. Gentleman the First Commissioner had answered the question that had been put to him according to his brief, but he should like to know what were the views of the right hon. Gentleman the Chancellor of the Exchequer (Sir W. Harcourt) with regard to it? Surely the Government ought to tell the Committee whether they were prepared to carry the intention of the late Government into effect or not, and,

if so, it would be done in accordance with their plan. He did not wish to blame the right hon. Gentleman, but he would say that if ever there was a time when it was necessary to give increased accommodation to the Science Department at South Kensington, this was the proper time. Throughout the country enormous sums of money were being spent upon technical education. South Kensington had been expected to keep pace with the growing requirements of the country, and a representation had been made to the Treasury by the Professors and others engaged in the teaching of Science at South Kensington. He knew something of the standard of the Professors there. There were amongst them some of the best teachers in the country—two of them had been stolen from the Yorkshire College, Leeds, very much to the disadvantage of that college, although he had been glad to see these men promoted, and to see their abilities recognised by the Government, and to know that they had justified their appointment. These men had spoken to him over and over again as to the insufficiency of the laboratory accommodation, declaring that in some cases, owing to this cause, students were only able to take half their course at South Kensington. The late Government had spent between £2,000 and £3,000 in providing additional accommodation on the west side of Exhibition Road. This, however, was only intended to meet the pressing requirements at the time, and was really looked upon as a temporary expedient. He remembered being struck with the fact that these men proved to the Treasury at that time that the fees paid by the students more than covered the interest upon the additional expenditure, and that these students could not have been accommodated at South Kensington at that time. He had mentioned these facts to show that the question was not a new one. It was a question which was thoroughly investigated by the late Government, who came to the conclusion that it should be faced ; and he confessed that in looking through the Estimates nothing had surprised him as much as to find the entire absence of any provision for the extension of the buildings connected with Science teaching. He hoped that the Government would be able to

assure the Committee that they had not dropped the scheme which was decided upon, and that they intended to proceed with the work. If they got that assurance the Committee would probably have to rest satisfied. If they did not get that assurance the Committee ought to show its strong sense of disapprobation at the policy and proceedings of Her Majesty's Government.

\*MR. SHAW-LEFEVRE: The right hon. Gentleman could hardly have been in the House when I replied to the right hon. Gentleman the Member for the University of Dublin.

MR. JACKSON: I have not been out of the House.

\*MR. SHAW-LEFEVRE: From the right hon. Gentleman's speech one would have been led to suppose that he had not been present when I answered the right hon. Gentleman the Member for the University of Dublin. At any rate he could hardly have listened to what I said. I said that, personally, I agreed with all that had fallen from the right hon. Gentleman.

MR. JACKSON: That is exactly my complaint. I said I did not blame the right hon. Gentleman, but I wanted to know from the Chancellor of the Exchequer whether this scheme is to go on or not?

\*MR. SHAW-LEFEVRE: I gathered that though he did not blame me, yet he wished to hear from me a more explicit account of what was intended. I stated to the right hon. Gentleman the Member for the University of Dublin that I agreed with him; that he had given an accurate account of what had taken place on the point, and that the decision that the Government had come to was, that they would not during the coming year vote any sum of money for the purpose of carrying out this work. I pointed out the heavy expenditure the Government had undertaken in the matter of public works, and that, with this in view, it was not possible for them to face the large expenditure of £400,000. I ended by saying that I could not state whether the Government would undertake the expenditure next year, but that, personally, I was strongly in favour of it. Until the Estimates next year come on I can say no more. I think that the right hon. Gentleman hardly distinguished between the two questions

*Mr. Jackson*

—buildings for scientific purposes, and additions opposite to Brompton Road, but I fully recognise the importance of both. During the present year some of the public buildings we have in hand will be completed, therefore I have great hopes that next year we shall be able to advance one or both of these works to some extent. But when once a portion is begun it will be wise to complete it as soon as possible. It would hardly be wise to commence a building which will ultimately cost £400,000 by spending £10,000 or £15,000 on it, as was proposed by the former Vice-President of the Education Department (Sir W. Hart-Dyke). I do not think it would be a wise policy to spread the expenditure over a number of years. I do not think the statement of the right hon. Gentleman (Mr. Jackson) that the late Government faced this question is a correct one. No doubt they spent something on preliminary arrangements and temporary buildings, but it would have been just as possible for them to commence the work they are urging us to undertake as it is for us.

MR. JACKSON: The right hon. Gentleman must know that it was impossible for us to commence the work before settling the preliminaries.

MR. SHAW-LEFEVRE: My point is that the late Government cannot be said to have faced the question. I have full sympathy with the right hon. Gentleman as to the importance of the work, and, as far as I am concerned, I shall use my influence with the Treasury to get them to sanction the commencement of these works.

MR. PLUNKET: We are not finding fault with the right hon. Gentleman the First Commissioner of Works. The fault is that apparently, with all his good intentions and sympathy, he has been placed by his Colleagues under such terms that he is only allowed to say that no decision has yet been arrived at by the Government. A decision was arrived at by the late Government, and unless the present Government are prepared to carry out that decision in the sense desired by the English public we shall be justified in concluding that the scheme which the late Government determined upon has been abandoned. The time has come when the Representative of the Science and Art Department ought

to move in this matter, and if he will not, pressure must be brought to bear by the public upon the Government, as it was brought to bear upon the late Government, to strengthen the hands of the Science and Art Department and the Office of Works, and compel the Treasury to give effect to the will of the public. Unless that is done there will be more delay and more money wasted. The right hon. Gentleman opposite says there is a large increase in the expenditure on buildings. Well, I have been looking over the Estimates, and I find that the total increase in the Estimates for buildings is £40,000, of which £25,000 is for postal and telegraph buildings, which are always reproductive. Expenditure of that kind is a way of earning money for the public, therefore I cannot attach much importance to the right hon. Gentleman's plea. The late Government obtained plans and spent £5,400 one year and £5,000 the year following. It would have been impossible to spend more on building operations during the last financial year. I agree that it would be unwise to spend £10,000 or £15,000 this year on a building which is to cost £400,000; but that is no reason for saying that the scheme should be dropped altogether, or dropped for some years. I say the necessity for these buildings has been demonstrated and proved again and again, and the good intentions and the sympathy expressed by the right hon. Gentleman the First Commissioner of Works are altogether insufficient and unsatisfactory. Unless the public take the matter up nothing will be done.

SIR J. T. HIBBERT was understood to say that the works contemplated by the late Government had not been abandoned.

MR. POWELL WILLIAMS: I rise to Order. May I point out to the right hon. Member that there are others besides those on the Front Bench and who sit immediately opposite who want to hear what he has to say on this question?

MR. J. COLLINGS: We cannot hear a word.

THE CHAIRMAN: Sir John Hibbert is in possession of the Committee.

SIR J. HIBBERT: I beg pardon. I have been asked whether these works have been abandoned or not. I naturally cannot say whether the Chancellor of the Exchequer will consent to the works being carried on next year; but I can say that, owing to financial pressure, the Treasury have consented to the works being postponed, but not abandoned. My own feeling in the matter is strongly in favour of the continuation of the works at South Kensington, when we are in a position to spend money upon them. The present Government are in a very different position from that in which the late Government were in when they sanctioned these buildings. Nearly every year the late Government were fortunate enough to have a considerable surplus, but this year there is a large deficiency; and I feel sure that the Committee, and even the strongest friends of the South Kensington Museum, will agree that this is not a year when we should incur a large expenditure on new buildings. My own opinion is that the portion of the scheme which we should push on with first is that with reference to the Science-teaching Department. I know there is great pressure on that Department owing to the want of buildings; and I trust that next year, presuming we are in a more fortunate position, provision will be made for carrying out that portion of the scheme. With respect to the larger scheme and the expenditure of £400,000, I am not in a position to commit the Chancellor of the Exchequer on the question. I can only say that I look upon the proposal as postponed, not abandoned. I do not doubt the *bona fides* of right hon. Gentlemen opposite; but, had they been in Office, I do not think they would have been able to carry out these works this year. Next year I trust we may be in a more fortunate position, when something may be done to carry out the scheme elaborated and prepared by the late Government.

MR. POWELL WILLIAMS thought it very unfortunate that the Government had come to the conclusion to postpone this important matter. If they had the experience which some hon. Members had of the immense advantages, in the



point of view of technical education, which were derived by local communities from exhibitions of this kind, they would consider it one of their first obligations and duties to see that the splendid collection in South Kensington was exhibited in a building fit to contain it, and that every opportunity was afforded to working men for studying design and construction which they saw exemplified in so many forms in that building. The right hon. Gentleman said the Vote was postponed, and he thought they had a right to ask how long was it to be postponed? That was a matter closely affecting the prosperity of the nation. It affected trade, which depended on design, and the skill of working men. He wished, further, to call attention to the security of this building. He would ask a simple question which would test the question of security. Did the Government insure the collection, or did they not? Had they any difficulty in getting the requisite amount of insurance from the great Insurance Companies, or were the great Insurance Companies unwilling to take the risk at the ordinary rates? If they did not insure, he thought it would be because the Insurance Companies would not accept the risk of insuring such a collection in buildings of so dangerous a character. There was another question he wished to ask. He saw there was an item of £3,500 for rent for certain parts of the existing buildings; and it appeared to him a fair question to ask whether this sum had reference to buildings erected on land which was not the property of the Crown? He was told that some years ago a certain portion of the buildings stood on land that did not belong to the nation. Was that so, or was it the fact that, though the land belonged to the Crown, the buildings did not? This touched the question of whether the buildings were properly fitted to contain this collection. As to the character of the buildings as they stood, he quite concurred with what had been said by the right hon. Member for Dublin University. Anything more disgraceful than those buildings it would be impossible to find in any capital in Europe. He never saw such a thing in his life as the entrance to the South Kensington Museum. He agreed with

all that had been said as to these buildings, both in point of security and in point of architectural design.

MR. CHAPLIN: I am sure I have no desire unnecessarily to prolong this discussion; but I am bound to say that nothing can be more unsatisfactory than the statement of the Secretary to the Treasury and the right hon. Gentleman the First Commissioner of Works in reply to the speeches which have been made from this Bench. The Committee will observe that the importance of these works is not denied for a moment by either of these right hon. Gentlemen. On the contrary, they have admitted the force of everything that has fallen from my right hon. Friends. A question was put from this side of the House as to whether or not the work is to be abandoned, and the right hon. Gentleman opposite, in reply, said—"It is not to be abandoned; but I cannot say whether the Chancellor of the Exchequer will consent to go on with the work next year, or whether he will not." He says—"All I can say is that this work is to be postponed." Postponed, but for how long? Are we to understand that it is postponed *sine die*? If not, will the Government give us a distinct undertaking as to when they intend to go on with it, and when progress will be made with it? Frequent allusion has been made to the wishes or intentions of the Chancellor of the Exchequer on this subject, and it appears that no answer is possible from the right hon. Gentleman opposite unless the Chancellor of the Exchequer is consulted. Well, where is the Chancellor of the Exchequer? Is it not possible for the right hon. Gentleman to ask for his attendance, and for the Chancellor of the Exchequer to come into the House to listen to the Debate upon a subject which the Government themselves admit to be very important. We are driven to the conclusion, by the attitude of right hon. Gentlemen opposite, that they intend to postpone *sine die* the work to which the late Government were committed. We cannot allow the matter to remain in this position. We must have some more explicit statement from the Government; therefore, in order that

*Mr. Powell Williams*

the First Commissioner of Works may have an opportunity of consulting the Chancellor of the Exchequer, and in order to enable the Committee to advance the business, I beg leave to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Chaplin.*)

MR. JACKSON: I do not know whether my right hon. Friend (*Mr. Chaplin*) contemplated the possibility of the right hon. Gentleman the Chancellor of the Exchequer not being at hand. If it is not possible to consult him, the alternative would be to postpone the consideration of the Vote until such time as the right hon. Gentleman is in his place.

MR. SHAW-LEFEVRE: I think the proposal to postpone the Vote is hardly reasonable. We have been discussing this matter not in regard to what is in the Vote, but in regard to what is not in it. The importance of commencing this work next year has been pressed on the Government, and that is a matter which we shall have to consider when next year's Estimates are before us. Even if the Chancellor of the Exchequer were here, he might not be in a position to pledge himself to commence the work at a certain date. All he would be able to do would be to say that he would take into consideration the views that have been expressed in many quarters, and would consider the question on the Estimates of the coming year. It has been already pointed out that the Government have not abandoned the work, and that the only decision they have arrived at is that they will not insert an item in the Votes of the present year. I am not sorry there has been a strong expression of opinion from many sides of the House on the subject. I hope, however, the right hon. Gentleman opposite and other hon. Members will rest satisfied with the assurance that I will do my best, when the Estimates are under consideration in a future year, to induce

the Government to insert an item to enable the work mentioned to be commenced.

MR. J. COLLINGS said, the right hon. Gentleman, in speaking on the adjournment, had thrown more light on this question than he had done all the evening. The reason this Motion was warranted was because there were other points beside the one to which the right hon. Gentleman had alluded to which no reply had been given. There was the question of security from fire, for instance.

MR. SHAW-LEFEVRE: I dealt with that subject in answer to a question put to me earlier in the evening. I should have been glad to enter into the subject again if this Motion for reporting Progress had not been moved.

MR. J. COLLINGS said, they had been listening in vain to hear the opinion of the right hon. Gentleman the Vice President of the Council; therefore, if the Motion were withdrawn, it would be on the understanding that the information asked for should be given in a way that would satisfy the Committee, and in a way commensurate with the importance of the subject. The Committee should not be treated like a lot of children, to whom any kind of answer might be given.

MR. CHAPLIN: I gather from the reply of the right hon. Gentleman the First Commissioner of Works that the services of the right hon. Gentleman the Chancellor of the Exchequer are not at the present moment available—that, in fact, the right hon. Gentleman is more pleasantly engaged. I do not propose to put the Committee to the trouble of dividing; but I would suggest that the right hon. Gentleman should confer with the Chancellor of the Exchequer, and that on the Report he should make a more definite statement.

Motion, by leave, withdrawn.

Original Question again proposed.

\*MR. JOHN BURNS (*Battersea*) endorsed the remarks of the right hon. Gentleman the Member for the Bordesley Division as to the necessity of taking

precautions for the prevention of fire and for recouping the Government in the event of fire. There were several large items in the Vote for the repairs of official residences. It was obvious, therefore, that there were officials in residence in these buildings; and his observation upon that was that if they were to have their public buildings protected as much as they could, humanly speaking, protect them, there was only one thing to do with official residences, and that was to do away with them altogether. When there were officials in residence their children were, as a rule, allowed much greater freedom in the buildings than adults by the firemen and policemen, and thus there was always danger from fire. Besides, the space occupied by these residences would be much better utilised for technical instruction and laboratories, and, at the same time, the money spent on them might be saved. He in no sense agreed with the Radical Vandalism of the hon. Member for Northampton. If Radicalism meant ugliness in public buildings and Vandalism in Art he was against it. The hon. Gentleman said there was plenty of room at South Kensington; but, as a frequent visitor, he (Mr. Burns) was unable to endorse that opinion. There was no space to spare either in the rooms or the galleries, and if the hon. Member were present he would ask him where the vacant space was. In the picture gallery the pictures were crowded together for want of space, and the engineering section resembled more a scrap-iron heap than an engineering museum. In the china department and in other parts of the Museum where general objects were exhibited it was impossible to get a clear view of some of the most beautiful exhibits in consequence of the limited accommodation. He could not concur in the criticism that had been indulged in as to what was called the extravagance of the proposition that the front portion of the Museum, facing the Brompton Road, should be completed. At present the front of the building looked like a cross between a blank factory wall after a fire and a disused racquet court. When he remembered that this blank wall was next to one of the most beautiful cathedrals now in course of being finished—namely, the Oratory—he thought it was a shame

*Mr. John Burns*

that it remained in such a condition. What was £400,000 to a nation as rich as England? It was only half the price of an ironclad, which would go to the bottom either through some lack of knowledge on the part of the captain or some fault in the compass. If the country could spend £800,000 on an ironclad, the guns of which could only be fired 10 or 15 times, he really did not see why it should not spend half that amount in instalments spread over four or five years on the completion of the South Kensington Museum. He must, however, express a hope that no encouragement would be given to the over-centralisation in all things which, he believed, took place at South Kensington. But even if decentralisation took place there was a necessity for increased accommodation for all purposes.

\*SIR J. LUBBOCK (London University) said, the Trustees of the British Museum had always been most anxious to take every possible precaution against danger from fire, because they realised what a misfortune to the whole civilised world it would be if the British Museum were destroyed. Captain Simonds, the present chief of the London Fire Brigade, was their adviser with respect to danger against fire, and every precaution which experience could suggest was taken. Humanly speaking, he believed nothing more could be done in order to protect the Museum against fire. The official residences were not in the Museum, but adjoined it. The Trustees had always been of opinion that it was a very great security to have one of the officials close at hand in case any misfortune should happen; in fact, one of the regulations was that one of the keepers should always be in his official residence for the purpose. As regarded the question of saving money, it was necessary to have gentlemen of the highest possible acquirements in their respective departments, and as the salaries were only from £500 to £700 a year he did not think the officials were overpaid. The official residences had always been regarded as moderate additions to the salaries, and if the officials were deprived of their residences the loss must be made up in some other way.

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham): I may just say in reply to the hon. Member opposite and the right hon. Gentleman the Member for Bordesley (Mr. Jesse Collings) that, as far as fire is concerned, great precautions are taken at South Kensington.

MR. J. COLLINGS said, that the authorities in Birmingham believed every possible precaution was taken against fire, and yet they lost their collection. He wanted the right hon. Gentleman to state on what scientific authority, if he had any, he based his opinion that the best precautions were taken.

MR. ACLAND: We have there military men of the greatest possible experience in a matter of this sort, engineers of great skill, who are in constant training, fire-alarms which are frequently set in motion, and admirable appliances of the most modern description. Policemen and engineers are there all night, and I believe the very best precautions are taken.

MR. JACKSON said, there was a great difference of opinion as to whether official residences in some cases were not rather a source of danger than a source of protection. At South Kensington the official residences were in close contact with two important buildings. One of the plans proposed by the Treasury was that the official residences should be used for an extension of the Science Teaching Department. He was under the impression that this was rather a favourable time to consider the question, as he understood that one of the gentlemen connected with South Kensington was about to retire. If that was the case, the Vice President had an excellent opportunity for pressing the Treasury for additional accommodation for the Science Department. He thought it would be found that the Chief of the Metropolitan Fire Brigade had reported that the official residences were a source rather of danger than of safety.

MR. GIBSON BOWLES observed that no sum appeared this year in the Estimates for the insurance of the

galleries at South Kensington. Was he to understand that the galleries were no longer insured?

MR. A. C. MORTON had been rather surprised to hear that military officers were employed in connection with the prevention of fire at South Kensington. It is a most extraordinary thing in the government of this country that military officers were so frequently employed to do work which had nothing of a military character about it. He was anxious not to have everything put in the West End of London, and would suggest that if the Government had money to spend on these purposes some of it should go to other parts of London. He would remind the Committee that before long a large building in the neighbourhood of the South Kensington Museum would be vacant—namely, the Imperial Institute. He wished to know how it was that £750 was put down for the rent of a gallery in the Imperial Institute building? Did it mean that an attempt was being made to smuggle into the Vote some sort of subsidy to the Imperial Institute?

MR. JAMES LOWTHER said, he did not wish in any way to endorse the idea that officials whose duties necessitated their constant presence on the premises should not have official residences; but, at the same time, he thought that such residences ought not to be in dangerous proximity to buildings in which priceless treasures were housed. There was no reason why the officials should not be provided with residences reasonably near their work, but disconnected with the public buildings. He did not wish to have more money spent at South Kensington, because he had a strong opinion that the less money we spent, except upon the Army and Navy, the better.

Sir John Hibbert rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Original Question put accordingly, and agreed to.

MR. HANBURY : We challenged the Vote, Mr. Mellor.

THE CHAIRMAN : I can only say the challenge was inaudible to the Chair.

3. £25,201, to complete the sum for Diplomatic and Consular Buildings.

MR. HANBURY : On a point of Order, Sir, I distinctly challenged the Vote, and several others around me.

THE CHAIRMAN : I declared the "Ayes have it," and I heard no challenge.

MR. A. C. MORTON said, he wished to ask a few questions with regard to this Vote. On page 26, he found a sum of £190 for Municipal and State Taxes. As was well known in this country, Consuls were not charged any local or Imperial taxes, and two years ago, when he raised a similar question, he was promised the matter should be looked into. He wished, therefore, to know why the Prussian or German Government should be the one Government to make this charge for local taxes ? The next point he wished to raise was why we were going to spend at Constantinople £500 more than last year ? The same remark would apply with regard to Lisbon, where they were spending this year £500, as against £100 last year, and he wished to know why there should be an increase of £400 in this item ? On page 28, he found there was an increased charge for Siam of £430 more than last year. At Tangier also there was an increase of more than £200 over last year. On page 29, he found the Vote asked for Zanzibar was increased by very nearly £700. A little while ago the Chancellor of the Exchequer and the Prime Minister said that efforts would be made to reduce the expenditure of some of these Consuls, but he found that in many of these items, instead of being reduced, or of the Chancellor of the Exchequer insisting upon a reduction, they were increased and no reason given for it. He should, therefore, like to hear from the right hon. Gentleman some explanation in regard to

the charge for taxes in Berlin, and the increase in the other cases he had mentioned.

\*MR. FREEMAN-MITFORD said, there were one or two questions he wished to ask with regard to Berlin. He found that the charge for maintenance and repairs of the Embassy House, furniture of State Room, and Architect's fees came to a total of £75, and out of that sum the Architect's fees were £25. The ordinary fee to an architect was 5 per cent., whereas here it was 50 per cent., and that seemed to him an altogether immoderate and excessive charge, and inasmuch as we had a travelling surveyor, who looked after these buildings, it seemed to be a very heavy demand to make. There was a matter he also wished to call attention to on page 28, which was a charge that appeared for the first time, namely—

"Purchase of site for new hospital to British seamen, and preliminary building expenses, total estimated cost £8,000."

The charge for this year was £2,000, and this was a matter on which he thought the Committee ought to have some information before voting the money. Then there was a sum of £300 set down for the maintenance and repairs of furniture, gardens, and other things at the Legation House at Tangier, and on this item either a great many items were charged which would not be provided, or else the whole thing was perfectly unintelligible.

\*MR. GIBSON BOWLES said, he should like some explanation as to two items under the head of Constantinople. First, he saw that two Embassies were charged for, the Embassy at the capital and the Embassy at Therapia. He could not understand why they should provide a country house on the Bosphorus for the Ambassador as well as a residence in the capital. His next complaint was in reference to the provision of a prison. Sir Henry Drummond Wolff had reported that the Capitulations involving ex-territorial prisons were most objectionable, and rendered the government of the country where they exist impossible, and he therefore objected to this charge. When

a man went to Turkey he should be content to abide by the laws of the country, and he thought that no Foreign Power should attempt to maintain a prison in a foreign country.

\*SIR R. TEMPLE wished to enumerate various points with regard to this Vote, because these consular buildings greatly concerned the welfare of this country; they were buildings constructed in the face of nationalities not always friendly to us, and were regarded as a symbol of the British influence and sovereignty in various parts of the world. When one came to think of it, there was no doubt these items were entered upon by the recommendation of the Foreign Department, and the right hon. Gentleman would surely have Reports on the subject from this Department. The Reports ought to be familiar to the right hon. Gentleman, and doubtless he had brought them with him, therefore it ought not to be difficult for him to answer these various questions, which ought to be answered if the Committee was to go over this branch of the expenditure satisfactorily. The points he wished to draw the attention of the right hon. Gentleman to were items under heading "B" relating to China and Japan, "H" relating to Egypt, "L" relating to Persia, "O" relating to Siam, and matters relating to Zanzibar, and various other Missions. The items were all in the Votes, and in reality they were bound to look at each one, as they were matters actually before the Committee at this moment. With regard to the China and Japan item, he wished to draw attention to this fact: that there was a large sum for new works, alterations, and additions to the Consular building, and at the same time there was another item of £3,000 odd for the maintenance and repair of the buildings. He had no doubt the Reports which the right hon. Gentleman had from the Foreign Department would explain how these two items stood. He supposed the one was for maintaining the buildings which already existed and the other was for building new ones. One would not think the two

things would go parallel; either buildings already existed and were in use—and if so he could not see why they should want a new building—or they were occupying some old building while a new one was being erected. It required some explanation, as it was not usual to see two items, one for new construction and the other for maintenance and repair. The next point related to Egypt, and notwithstanding the presence of his hon. Friend the Member for Lynn (Mr. Gibson Bowles) he must say he imagined the large expenditure for the residence at Cairo was very much needed. He understood his hon. Friend to object, but considering the position of our official there, he thought that the expenditure was necessary for the upholding of the dignity of this country. Whether we occupied Egypt or not we should always have an officer there of the first class to represent this country in a manner worthy of the nation, and in that case he must have a proper house to live in. Either he would be in full British residence and real Governor under the control of England under the suzerainty of the Sultan, or if we evacuated the country he would be Consul General, and in either case they would require a residence of proper dignity and decent architectural style. But the other building at Alexandria seemed to be maintained at an extraordinarily cheap rate. They found under all the other Consulates in Asia and Africa several hundreds a year charged for maintenance and repairs, but in the case of Alexandria it amounted to only £90. That seemed to be so unaccountably cheap that it required some explanation as to whether this £90 could really cover all the cost attending this Consulate, and if the Consulate received some other sum besides this they ought to know it. [An hon. MEMBER: The £90 is for rent.] His hon. Friend pointed out that sum was for rent, and in that case he supposed the tenant would do the repairs, but perhaps the right hon. Gentleman, with the aid of the Report from the Foreign Department, would be able to tell them that. Then, with regard to Siam, the items were certainly moderate. In another place the Government adopted the plan of building new structures outright, and the question naturally arose as to whether

it was better to have these buildings constructed at once at capital cost or to rent them. At Smyrna there was this large item of a site for the new hospital that had been referred to by his hon. Friend (Mr. Freeman-Mitford). That was certainly a large expenditure, but the institution was of considerable interest. He was not sure it had been before the House as yet, and if this was the first time it appeared, he thought the right hon. Gentleman should give them some information regarding it, and why there should be a hospital for British seamen at Smyrna of all places, though, no doubt, there was a good reason for it. At Tangier there was an item of £300 for maintenance and repairs. Considering the rapid developments of our interests and the importance of our position there, it would be well for the right hon. Gentleman to inform them as to whether our Consular buildings there were in a proper condition and capable of meeting the growing requirements of this country in that part of the British sphere of influence. Then they came to Zanzibar. ["Oh, oh!"] A year ago the Committee would remember these hon. Gentlemen below the Gangway urged similar criticism he was now doing. On that occasion the Committee patiently listened to them, and now that he was offering what might be called skilled criticism they objected. As regarded Zanzibar our interests there were rapidly spreading. What was a Consulate had become an Agency, and would soon become a Residency and seat of government, and they should be informed whether the buildings were in a proper condition for an officer upon whom so much depended. With regard to the West Coast of Africa, he noticed this peculiarity: that, whereas certain items were put down last year for the old Calabar Consulate and various other Consulates, nothing whatever was put down this year, and he wished to know whether they were to infer these Consulates had been removed? On the East Coast of Africa, at Delagoa Bay, there was an item of £1,700 put down for the completion of the erection of a Consulate there. The total cost was £4,100, and by the 31st March last there had been expended the sum of £2,400. Apparently the work was being done at the rate of about £2,000 a year, and it

would be satisfactory to know when the work would be completed. Lastly, he came to the cemeteries. £360 was put down for repairs to a cemetery on the Bosphorus, and he wished to ask what cemetery there was on the Bosphorus? There was a well-known cemetery at Scutari that contained the remains of many of our officers and men who fell during the Crimean War, and he would ask if that was the cemetery indicated, or whether the Bosphorus cemetery was some other; and, if so, could the right hon. Gentleman tell them whether the cemetery at Scutari—which was certainly a British one, containing the bones of many of our best officers and men, and one that was held in veneration by all nations—was being kept in proper repair by the British Government or not? There were other cemeteries about which remark might be made, but, out of regard to the feelings of hon. Gentlemen, he would not pursue the question further. He would conclude his list of questions by submitting, with all respect, that the points he had raised were worthy of consideration, and if the Committee was to proceed with proper knowledge they ought to have information regarding the condition of our consular buildings, as it constituted a matter of national importance. \*

\*MR. SHAW-LEFEVRE said, the hon. Gentleman who had just sat down had gone from China to Zanzibar, and he had certainly amused the Committee if he had not enlightened them. The hon. Gentleman asked him various questions, and he would take the last one first, as to the cemetery on the Bosphorus. The hon. Gentleman was quite right in supposing that was the cemetery at Scutari, though he believed there were other smaller cemeteries that came under the same item. Then his hon. Friend reverted to the expenditure incurred upon various Consulates in China. He need hardly point out that it had been absolutely necessary to provide for these. The charge with regard to Tangier is to defray the expense of providing gardens to the Consular buildings. With regard to our Ambassador at Constantinople having two residences, it must be remembered that it is impos-

sible for him to reside in that city during the summer months, and, therefore, it is absolutely necessary that he should have an additional residence at Pera. With regard to the payment of taxes for the Ambassador's residence at Berlin, that is due to the fact that the Municipal Authorities of the city exact the payment.

MR. A. C. MORTON said, that as the Local Authorities of Berlin insisted on charging rates and taxes on our Ambassador's house at Berlin, the right hon. Gentleman ought to direct the Local Authorities of the parish in London in which the Berlin Embassy resided to charge that Embassy rates and taxes, so that there might be equal dealing on both sides.

MR. MACARTNEY (Autrim, S.) said, our Embassy House at St. Petersburg seemed to be held on different terms from the Embassy Houses in other capitals, because rent was paid for it; while in the other cities the residences of the Ambassadors were acquired by Great Britain. It appeared to him that the country would save a considerable sum of money by purchasing the Embassy House at St. Petersburg. He also noticed that the rent of the house varied considerably from year to year. In 1891 the rent was £1,875; last year it was £1,500; and this year it was £1,600. Perhaps the First Commissioner would give an explanation why the rent varied in such considerable amounts in three years? He also noticed that there was a sum of £1,700 on the Estimates for the completion of the Consular buildings on the East Coast of Africa. The total estimated cost of the building was given at £4,100, but going back on the Estimates for previous years, he found that in 1891-2, £1,000 was voted for the works; in 1892-3, £2,000; and now this year £1,700, making a total of £4,700, which was £600 above the total estimated cost.

MR. SHAW-LEFEVRE: The estimated cost of these buildings is £4,100. The sums to which the hon. Gentleman

has called attention have not all been spent, and we expect to keep within the estimated cost. With regard to the Embassy House at St. Petersburg, it is true that we pay rent for it; but I cannot say why, three years ago, the rent was higher than it is now.

SIR FRANCIS POWELL (Wigan) said, that there was a sum of £7,000 down for the new Agency House at Cairo, and he wished to know whether that amount would really complete the buildings?

MR. GIBSON BOWLES asked whether it was the fact that rent had to be paid for the Embassy House at St. Petersburg because the Russian Government would not allow us to buy land there? He saw that a rent of £430 was charged for the Consular House at Alexandria. He knew the house; it was a twelve-roomed house, such as a prosperous tradesman would retire to in Bloomsbury, and how anyone could charge £430 for it he could not imagine.

MR. BARTLEY (Islington, N.) said, he noticed that there was a number of items for allowances to Ministers for petty repairs. For instance, in Brussels there was an allowance of £33, which he did not consider a large amount. But he thought it was hardly consistent with the dignity of Ministers to be allowed a small salary—for the payments seemed to be made regularly every year—for these petty repairs. The cost of these repairs should be defrayed when the work was done. He also noticed that the Ministers at Athens and Copenhagen were each allowed £100 a year in lieu of furniture. It would be better to furnish these houses than to pay a large sum annually for furniture in that fashion.

\*MR. SHAW-LEFEVRE: It has been found that these annual allowances for repairs are the most economical arrangement; and if we were to furnish the houses at Athens and Copenhagen as the hon. Member suggests, our expenditure would be very much greater than it is now. The cost of the new



Consular buildings at Cairo will be fully covered by the Estimate; and, with regard to the sum charged for rent of the Consular House at Alexandria, it must be borne in mind that rents are very high there.

MR. HANBURY thought they should have a more satisfactory answer in regard to the Embassy House at St. Petersburg. It seemed strange that we should pay rent for the Embassy House at St. Petersburg, while the Embassy Houses in all the other capitals were our private property. The Embassy House at Constantinople was a present from the Sultan. He believed the real reason why we had to pay rent at St. Petersburg was because the Russian Government would not allow us to acquire land there. He noticed that there were certain Consular Buildings in China to which the Indian Government contributed, and others to which they contributed nothing. He would like to know the principle on which the Indian Government made these contributions?

MR. LABOUCHERE congratulated hon. Gentlemen opposite on their skilled criticism of the Estimates. It seemed to him they had reversed the usual order of things with regard to the Estimates, for nearly all of them had absolutely complained that the Estimates were too low. The hon. Baronet the Member for Kingston was in a perfect state of despair because the expenditure at some of the Consulates was lower than the expenditure at others, and he urged that they should level up rather than down. The reason why the Embassy House at St. Petersburg was hired, rather than, as in other cities, purchased or built, was because it was easy to hire a house sufficiently large for our purpose at St. Petersburg, while there was a great difficulty in obtaining houses of the proper kind on hire in other capitals. He hoped the Government would continue to hire the house in St. Petersburg to long as it was possible to do so, rather than build or purchase one.

MR. MACARTNEY said, he had pointed out that the rent for the house

at St. Petersburg fluctuated year by year in the most extraordinary manner; and surely, if they had to rent a house there, it would be wise to secure that they should not be at the mercy of the landlord of the house.

MR. SHAW-LEFEVRE said, it was more economical to hire the house than to build or buy one. He was unable at present to give the hon. Member for Preston the arrangements under which the Indian Government contributed towards the Consular Houses in China.

Vote agreed to.

Motion made, and Question proposed,

"That a sum, not exceeding £283,923, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1894, for the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings in Great Britain, including Furniture, Fuel, and sundry Miscellaneous Services."

MR. FORWOOD (Lancashire, Ormskirk) said, he was aware that any criticism on the Estimates which came from his side of the House was liable to be received with adverse criticism by hon. Gentlemen opposite and their organs in the Press. But he was willing to take the risk, because he believed that the practice of criticising the Estimates was wholesome and good, and in the interest of good government and administration as well as of the taxpayers. On this Vote for Revenue Buildings a most important principle arose, on which he wished to make a few comments, but not at all of a Party character. His observations would be directed to the question of the framing of the Estimates. In order that the Committee might properly understand the proposals of the Government, it was necessary, in the first place, that the Estimates should be reliable and intelligible. But the present Estimates were not intelligible. He had no doubt that hon. Members, when they took the Paper which had been circulated by the Government in their hands, they imagined that the heading of the Paper really indicated the money they were asked to vote, and the

*Mr. Shaw-Lefevre*

circumstances and particulars of previous Votes. That was far from being the state of affairs in this case. On page 35 of the Estimates, which professed to give particulars of the proposed outlay on different Post Office Buildings, it would be seen that in the first column they had the name of the post office on which the money was to be expended and its location; then the next two columns gave them the Estimate of the costs; then they were told what had been the expenditure of the Vote up to the 31st March last, and then they were told what Vote was required for 1893-4, the balance required to complete the Vote, and, finally, what the Vote was last year. Now, if that were all that was in the Estimates, it would be a clear, and simple, and intelligible statement. There were no details given of the works to be carried out. When these figures were arrived at they had evidently in their minds distinct and individual works, for they actually said £47,709 with regard to the Post Office, and £14,161 with regard to Telegraphs. Therefore, he was afraid all the information that appeared on that Table as to the amount required was illusory and altogether unreliable, and they might just as well have placed before them the Vote for £1,096,000 without any particulars whatever as to have had the Vote placed before them in the form in which it appeared. In former years there was a column in this Vote which gave the amount of Re-Votes; but that was now omitted. The Secretary to the Treasury explained he omitted it because it might mislead. Therefore he concluded that all the items which might mislead the House in connection with this Vote had been eliminated, and that they might take the Vote as drawn up as clearly and distinctly showing what money was wanted for each and every purpose. On that hypothesis, where opposite different items the word "Re-Vote" appeared, he must assume it meant that on a previous occasion the House voted that sum of money for the particular purpose for which the Vote was required; that the money had not been expended; and that, therefore, the House was asked in the coming year to provide the sum over again. Let him take one of these items and test it. Here was an item that was typical of them all—"South-

Western District, New Sorting Office." On that there was a Re-Vote of £9,000. Take the history of this transaction. The cost of the building was estimated in 1891-2 to be £54,000; £15,000 was voted for it, and there was spent in that year only £1,760. In 1892-3 £25,000 was estimated, including a Re-Vote of £13,940. But out of that £25,000 there was only spent £7,510 in the year and £8,490, making a total of £16,000 out of the £25,000 voted. This year it was proposed to ask for £25,000, and there still remained £13,000 to complete that work in the following year, so that they would positively have been asked to vote £78,000 for a building that was only to cost, at the outside, £54,300. That was a system of estimating and charging upon the taxpayers of this country that was eminently and highly unsatisfactory. His right hon. Friend opposite said it was not spent. No; but the cost of the building was £54,000, whereas with Re-Votes the taxpayers had had to provide £78,000. [Sir W. HARCOURT dissented.] It had been explained by the Secretary to the Treasury that these Re-Votes were to replace money voted in a previous year.

SIR W. HARCOURT: Not spent.

MR. FORWOOD: But the money not spent had to be surrendered, and, as far as the taxpayers were concerned, they had had to provide £78,000 instead of £54,000.

SIR W. HARCOURT: That is a fallacy.

MR. FORWOOD: If it was, it was a fallacy deducible from the Estimates and the mode in which they were prepared. The amount of Re-Votes amounted to £50,000 added to the Votes of this year; therefore there was £50,000 short, spent in the last year, if this statement was worth anything. He could not understand how such a statement as that could be approved by the Treasury, or passed by the Controller and Auditor General. If he understood Public Accounts, the system of the Exchequer and Audit Act, and the course of procedure laid down by the Treasury, he gathered, in the first

place, that any money voted and not expended became an amount that had to be surrendered to the Chancellor of the Exchequer, and was available with the surplus of the year for the reduction of the National Debt. And, secondly, he understood that the Controller and Auditor General, in auditing these accounts, ought to ascertain whether or not the money voted had been expended in the course of the year upon the item for which it was so voted. He noticed the Secretary to the Treasury accepted that position; and, that being so, how was it possible for the Controller and Auditor General to take this statement which professed to give the Vote of the year on a specified building and then at the end deduct a lump sum without saying from which Vote that lump sum was deducted? This matter was not raised for the first time. A former Chancellor of the Exchequer, Mr. Childers, in criticising the Votes, attacked the then Postmaster General. On that occasion he complained of the extraordinary way in which the Estimates were prepared for post offices in and around London. He pointed out that on the proposed Post Office at Finsbury Park the total expenditure was to be £2,500; but £5,000 had already been spent. In the case of another post office, the Estimate for which was £1,000, a sum of £2,000 had already been spent; and for the London Bridge Post Office the original Estimate was for £12,000, and £22,000 had been expended. Another hon. Gentleman, the Member for East Donegal, who was thoroughly acquainted with Public Accounts, said the whole method of preparing the Post Office Estimates was a farce, and that the Post Office officials never paid any attention to the statement of detailed expenditure in the Estimates. These elaborate statements, said the hon. Member, were quite untrustworthy as guides to the manner in which the money granted to the Post Office would be spent. Since that time no change whatever had been made in the manner in which these documents were placed before them, and he thought they were absolutely misleading and completely unintelligible. He could not understand the Controller and Auditor General giving a certificate for such Estimates on such a statement as was then before the House; but

*Mr. Forwood*

perhaps he did so because the aggregate sum mentioned in the Estimate was not exceeded, and he took no notice whatever of the amount spent on individual buildings. If that were so let it be distinctly stated. He pointed to the fact that in a Treasury Minute issued on the 19th February, 1890, on matters analogous to this, allusion was made to the inclination of Departments to find some other object on which to spend money which had not been used for the purpose voted rather than surrender it to the Exchequer; and the Auditor General stated that instead of having been so used such money ought to have gone to increase the Sinking Fund for the reduction of the National Debt, and if any Department had a surplus at its disposal resulting from one Vote for the service of the year, it had no right to spend the saving for any other purpose, not even for effecting a saving in the succeeding year. If there were Re-Votes to the extent of £50,000, clearly £50,000 was not expended last year; but it was either surrendered to the Treasury, or it was spent for other purposes of which Parliament had no knowledge. He was sorry that the First Commissioner of Works had not asked from the Chancellor of the Exchequer enough money for the work of the coming year. He thought it would be admitted that in the great commercial wants of the country the Post Office played a most important part, and that to starve the Post Office was to starve the Revenue and inconvenience the traders and people of the country. He called it starving the Post Office and levying increased cost of charges on the public if, when they once undertook a large work, they did not provide sufficient money to push that work on to completion. If anyone would take the Votes, it would be seen they had on hand works for the Post Office estimated to cost £1,096,000. To put aside £200,000 or £300,000 towards providing works which were going to cost £2,000,000 meant that it would take five years to complete the work. It was really a waste of money to start a work unless they had enough money to push on quickly with it. That sum of £1,096,000 did not include sites which were lying dormant and idle, and which would mean another £1,000,000, so

that positively there were £2,000,000 the work for which required to be finished in order to be utilised for the benefit of the Revenue and the public. He thought there was a change required in that system, especially regarding the Post Office. He would take a particular case in his own knowledge. Nearly three years ago a new site for a Post Office was required at Liverpool at a cost of no less than £180,000, and that site was lying idle. The present Post Office had been condemned as unsanitary by the Medical Officer of Health, and as an unfit place for the clerks of the Post Office to reside in. In consequence of that, the late Mr. Raikes was induced to favour the purchase of this large site for the erection of a Post Office; and, therefore, not only had they a site lying idle and a consequent loss of interest on money, but it was positively injurious to the health of the postal officials who have to remain in the old Post Office which had been condemned. What did they find? After three years, on a building which was to cost £180,000 this year, the small sum of £6,000 was asked to go on with the work. The plans had been passed, the contract made, and there was a splendid opportunity for the work to be gone on with. The defence of the First Commissioner of Works in regard to the Science and Art Department building was, that it would be idle to commence a building which would cost £400,000 if they could only have £10,000 or £15,000. What would be his defence in regard to a building which was to cost £180,000, the contract for which had been made, and in regard to which he only proposed to spend £6,000? In Leeds, a new Post Office was commenced in 1890 or 1891, which was to cost £76,000; but so little money had been taken for that undertaking, that at the end of this year there would yet remain 50 per cent. of the work unexecuted, although four years would have elapsed since its commencement. In Sheffield, in 1890, a new Post Office was commenced at a cost of £14,500, and it would have taken four years when the work was completed. In Glasgow, Post Office Buildings which were to cost £30,000 were commenced in 1889, and they would not be completed by March 1894.

SIR W. HARCOURT: That is not our fault.

MR. FORWOOD: He endeavoured, at the opening of his remarks, to show that this was not a Party question. It was the fault of the system on which they proceeded. There was no doubt that hon. Members of that House came to the Postmaster General, or the Secretary to the Treasury, and said that the most important post office that could be built was in the particular Member's constituency; and then it was a very satisfactory thing—especially if it was near an Election—for that hon. Member to go down to his constituents and tell them he had got this new post office from the Tory or the Radical Government, as the case might be. Thus it came about that, instead of having 20 or 30 works on which £200,000 could be spent, and the works completed, they undertook no fewer than 64, and dribbled and frittered away their resources over them. The Post Office was a revenue-producing undertaking, and ought not to be subjected to the exigencies of the Exchequer. They ought to have such financial arrangements come to that, when a post office was really wanted, the work should be commenced and carried through without delay. They should treat this as any public undertaking should be treated. It was capital expenditure, and ought to be spread over a reasonable number of years. If barracks and fortifications could be provided and paid for by the money being spread over a series of years, surely they could spread the payment for the post offices over a period of years, and so insure such necessary works being completed within a reasonable period of time. He disclaimed having brought this matter forward in any way as a personal attack on his right hon. Friend the Secretary to the Treasury or the present Government; but the fault was with all Governments, for it was in the system. The way the Estimates were prepared and laid before them was such as to make them misleading and unintelligible, and he was surprised they were allowed to pass the

Public Accounts Committee and Controller and Auditor General. He hoped this matter would receive attention, and that they would not allow these sites to remain waste after having cost such an enormous sum of public money.

SIR W. HARCOURT (who rose a minute or two before midnight) said, the right hon. Gentleman had not left him time to reply. It was no doubt a question of capital expenditure, and as such deserved consideration.

Mr. T. M. Healy rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

Mr. TOMLINSON called attention to the post office at Preston, where the accommodation was totally inadequate for the requirements of the town.

It being Midnight, the Chairman proceeded to interrupt the Business.

Whereupon Mr. T. M. Healy rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

And the Chairman left the Chair to make his report to the House.

Resolutions to be reported To-morrow, at Two of the clock.

Committee also report Progress; to sit again To-morrow, at Two of the clock.

#### LABOUR DISPUTES (ARBITRATION)

BILL.—(No. 308.)

#### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(Mr. Mundella.)

Mr. GIBSON BOWLES objected.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) mentioned that there were three other Bills on this subject, and it had been agreed that afterwards they

should all be referred to a Committee and be considered together. He hoped, therefore, no objection would be taken to the Bill being now read a second time.

Mr. GIBSON BOWLES considered it was extremely doubtful whether the House should pass the Bill at all; but, if they did, it should only be after they had had a full explanation of its objects.

\*SIR JOHN LUBBOCK appealed to hon. Members to allow the Second Reading to be taken, and then this, together with the other Bills on the same subject, could go before a Select Committee.

Mr. BARTLEY observed that one of the Labour Members had got a Motion down to the effect that the Bill be read that day six months.

Mr. MUNDELLA: No, Sir; he has withdrawn it.

Mr. BARTLEY: It is on the Paper for to-day, and he spoke to me about it himself; therefore, I must take it that the Labour Members are strongly opposed to it.

Mr. MUNDELLA said the notice of objection was put down to secure that the three Bills should go with this Bill to a Select Committee, and on that understanding the objection had been withdrawn.

COLONEL HOWARD VINCENT: Will all the Bills be referred to a Select Committee?

Mr. MUNDELLA: Yes.

Mr. HANBURY objected to the present stage of the Bill being taken at that hour.

SIR W. HARCOURT pointed out that it had been agreed that all the Bills on this subject should be sent to be considered by a Select Committee. Legislation on this subject was of great importance, and what conceivable argument could there be against the adoption of the course which was suggested? Surely it would not be justifiable to obstruct a measure of this kind.

Mr. F. Wood

MR. HANBURY must point out that this was not obstruction. The real obstruction came from the Government themselves, who, having taken the whole time of the House and sacrificed everything to the Home Rule Bill, refused to allow 10 minutes of public time for the discussion of other Bills. It was because they objected to the way the important business of the country was being obstructed by the Government—

MR. SPEAKER: Order, order! If the Bill is objected to, of course it will have to stand over.

MR. T. M. HEALY: I wish to ask whether it is not possible to consider the advisability of abrogating the Twelve o'Clock Rule, seeing that hon. Members object to Bills night after night without any regard to what the business is?

SIR W. HARCOURT: I am afraid, Sir, we are approaching a point when it will be necessary to consider it.

Second Reading deferred till To-morrow, at Two of the clock.

#### PUBLIC LIBRARIES (IRELAND) ACTS AMENDMENT BILL.—(No. 242.)

##### THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

COLONEL HOWARD VINCENT objected.

SIR ALBERT ROLLIT would ask the hon. Member to allow this Bill to go through. There was a manifest feeling in the House the previous night that the Bill should be allowed to pass, because the English Bill had been helped by Irish Members. He would point out that this Bill was merely to assimilate the law of the two countries, and if they wanted to keep them united they ought to allow them to have the same laws.

MR. MARJORIBANKS said, he would ask the hon. Member to put off the Bill for a few days, as the Irish Office had some Amendments to put down.

Third Reading deferred till Tuesday, 6th June.

MR. BARTLEY said, he would draw attention to the fact that this Bill in its

present stage was really opposed by Her Majesty's Government.

MR. T. M. HEALY: No, no!

#### ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 3) BILL.—(No. 318.)

Read the third time, and passed.

#### ELECTRIC LIGHTING PROVISIONAL ORDER (No. 1) BILL.—(No. 284.)

As amended, considered; read the third time, and passed.

#### LOCAL GOVERNMENT PROVISIONAL ORDER (HOUSING OF WORKING CLASSES) BILL.—(No. 331.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 288.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.—(No. 330.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.—(No. 310.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 328.)

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (No. 3) BILL.— (No. 334.)

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

#### MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to confirm an Order made by the Secretary for Scotland, under 'The

Sea Fisheries Act, 1868,' relating to a several Oyster and Mussel Fishery at Loch Creran, Argyllshire." [Oyster and Mussel Fishery Provisional Order Confirmation Bill [*Lords*].

OYSTER AND MUSSEL FISHERY PROVISIONAL ORDER CONFIRMATION BILL [*Lords*].

Read the first time ; and referred to the Examiners of Petitions for Private Bills, and to be printed. [Bill 362.]

FEUS AND LEASES (SCOTLAND.)

Select Committee on Feus and Leases (Scotland) nominated of,—Mr. Baird, Mr. J. B. Balfour, Mr. James Campbell, Mr. Donald Crawford, Mr. Dalziel, Mr. Hunter, Sir John Kinloch, Dr. MacGregor, Mr. Maxwell, Sir Charles Pearson, Mr. Renshaw, Mr. G. A. L. Whitelaw, and Mr. Stephen Williamson.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Five be the quorum.—(*Mr. Marjoribanks.*)

FATAL ACCIDENTS INQUIRY (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to make provision for Public Inquiry in regard to Fatal Accidents occurring in industrial employments or occupations in Scotland, ordered to be brought in by The Lord Advocate. Sir George Trevelyan, and Mr. Solicitor General for Scotland.

Bill presented, and read first time. [Bill 363.]

SOUTHERN RAILWAY (IRELAND) BILL.

On Motion of Sir John Hibbert, Bill to confirm an agreement entered into between the Great Southern and Western Railway Company and the Commissioners of Public Works in Ireland for the improvement and use of the railway station at Thurles ; and for other purposes, ordered to be brought in by Sir John Hibbert and Mr. John Morley.

Bill presented, and read first time [Bill 364.]

WEIGHTS AND MEASURES BILL.  
(No.163.)

Read the third time, and passed.

PROVISIONAL ORDER BILLS.

STANDING ORDER APPLICABLE THERETO COMPLIED WITH.

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bills, referred on the First Reading thereof, the Standing Order which is applicable thereto has

been complied with, namely—Local Government (Ireland) Provisional Order (No. 5) Bill ; Tramways Provisional Orders Bill.

Ordered, That the Bills be read a second time To-morrow.

CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

(VOTE ON ACCOUNT.)

Estimate presented,—showing the several Services for which a further Vote on Account is required for the year ending 31st March, 1894 [by Command] ; Referred to the Committee of Supply, and to be printed. [No. 223.]

RAILWAYS (CONTINUOUS BRAKES).

Copy presented,—of Return by the Railway Companies of the United Kingdom for the six months ending the 31st December, 1892 [by Command] ; to lie upon the Table.

ALKALI, &c., WORKS REGULATION ACT, 1881.

Copy presented, — of Twenty-ninth Annual Report on Alkali, &c., Works by the Chief Inspector of Proceedings during 1892 [by Act] ; to lie upon the Table.

EDUCATION (EVENING SCHOOLS).

Copy presented,—of Minute of the Committee of Council on Education, dated 18th May, 1893, establishing a Code of Regulations for Evening Continuation Schools, &c. [by Command] ; to lie upon the Table.

PAWNBROKERS' RETURNS (IRELAND).

Copy presented,—of Return from the City Marshal of Dublin for the year 1892 [by Command] ; to lie upon the Table.

LOCAL GOVERNMENT ACT, 1888 (MONMOUTH).

Copy presented,—of Order of the County Council of Monmouth for altering the boundaries of the urban districts of Bedwelly and Ebbw Vale [by Act] ; to lie upon the Table.

House adjourned at a quarter after Twelve o'clock.

Sp 1372

HOUSE OF COMMONS,

Friday, 19th May 1893.

The House met at Two of the clock.

QUESTIONS.

PROMOTIONS OF NON-COMMISSIONED OFFICERS.

MAJOR RASCH (Essex, S.E.): I beg to ask the Secretary of State for War, with reference to the promotion of Quartermaster Sergeants and Colour Sergeants, would he consider the possibility of extending the limit imposed by the last paragraph of Article 638 of 1892 from 1st January 1889 to 1st January 1890?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): No, Sir; I am afraid that I cannot hold out any hope of this relaxation.

MAJOR RASCH: Will the right hon. Gentleman consider the case of men with over 18 years' service?

MR. CAMPBELL-BANNERMAN: If the hon. and gallant Member will communicate with me I shall be glad to discuss the matter with him.

ALIEN IMMIGRATION.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the President of the Board of Trade if he has received any Reports from the Commissioners he sent some months ago on an Alien Inquiry to the United States; and if they will justify him in introducing, before the Session is too far advanced, some legislative regulation of indiscriminate alien immigration into Great Britain, having regard to the large number of our fellow-countrymen reported to be out of employment by the Trades Union correspondence with the Board of Trade?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): The Reports are in preparation and are expected next month. It is not possible yet to make any statement as to legislation.

QUEEN ANNE'S BOUNTY AND THE DEVON ESTATE.

MR. COBB (Warwick, S.E., Rugby): I beg to ask the Secretary of State for the Home Department whether he is aware that he has been misinformed as to the circumstances connected with the purchase by the Governors of Queen Anne's Bounty of the estate at Newton Abbot now belonging to them; whether he will make inquiries from persons on the spot who know the facts, and are unconnected with the Governors or the Devon Estate, and state the result; whether he is aware that there are no sea views on the estate, that the estate which belonged to the Earl of Devon was announced for sale by auction, that nearly three-fourths of the leaseholders were willing and anxious to purchase the freeholds, that many of them applied to the Earl of Devon's agents as to prices, and were informed that no sale would be made before the auction, that a few days before the date announced for the auction the Earl of Devon privately sold the estate to the Governors behind the backs of the leaseholders, and that three-fourths of them are now willing to buy the freeholds at a fair price from the Governors; and whether, if he finds that the facts stated in this question are substantially correct, he will suggest to the Governors the desirability of ascertaining how many of the leaseholders are still willing to purchase the freeholds at fair prices, and of selling to them if their number is considerable?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): In answering my hon. Friend's question, I must remind him that I have no authority whatever to interfere with the powers that the Governors of Queen Anne's Bounty possess of purchasing in the open market estates on the conditions prescribed by the owners thereof, or of subsequently disposing of such estates under their statutory powers. I am under no Departmental responsibility for the action of the Governors, and I have neither the duty nor the right to make suggestions to them. The answer which I gave the other day was that supplied to me by the Governors. I have, in consequence of my hon. Friend's question and of information privately given to me by my

An Asterisk (\*) at the commencement of a Speech indicates revision by the Member.



right hon. Friend the Paymaster General, asked the Governors for further information. They tell me that it was originally intended to offer for sale the Earl of Devon's Estate at Newton Abbot, on which there were 439 leases and 300 tenants, in 35 lots, so that no individual tenant could have secured his own holding. However, it was subsequently arranged to sell the whole estate in one lot to the Governors, and about 20 leaseholders have applied to the Governors to purchase their holdings. My right hon. Friend the Paymaster General tells me that it is now the fact that a large majority of the leaseholders wish to purchase, and the Governors state that if a memorial from the leaseholder is presented to them it will receive careful consideration.

#### BONUS PAYMENTS IN THE CIVIL SERVICE.

MR. FISHER (Fulham): I beg to ask the Secretary to the Treasury if he will explain on what grounds those Civil Service writers who have been promoted to the permanent ranks of the Civil Service have been refused payment of a part of the bonus to which they appear to be entitled under the Treasury Minute of December, 1886; and whether those writers were in any way notified of the pecuniary loss which they would sustain if they accepted promotion between the dates upon which the instalments of bonus were payable?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): No copyist can receive bonus in respect of a broken period of less than half-a-year's copyists' service immediately preceding his appointing to a permanent post, half-a-year's service being the necessary condition, under the Treasury Minute, for the payment of such bonus. In reply to the second part of the question, I should explain that the Treasury have expressed themselves willing to allow to any copyist appointed to a permanent post the option of waiting for the next accruing bonus before taking up the new appointment.

#### SEWER GAS AT HAMPSTEAD.

MR. WEIR (Ross and Cromarty): I beg to ask the President of the Local Government Board whether he is aware that complaints of an excessive upflow

of sewer air at Hampstead have been made before, and since, 1886; that an expert, Mr. Mansergh, advising the Vestry, condemned the system then, and still, in use at Hampstead; whether the recommendations of Mr. Mansergh or other experts were adopted; if not, on what grounds; and whether the Local Government Board will cause an inquiry to be held, and receive evidence on the subject?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): I have been in communication with the Vestry of St. John, Hampstead, and am informed that there have been a few, but only a few, complaints during the last 10 years of the rising of sewer air from the lower to the higher parts of the parish; that Mr. Mansergh, in advising the Vestry, did not condemn the system in use at Hampstead, but, on the contrary, expressed his agreement with it, and recommended its further development. In accordance with this recommendation the Vestry have been increasing the means of ventilating and cleansing the sewers. If it is considered that there is any ground for complaint as regards particular sewers, and I am informed precisely of the facts, I will bring the matter under the attention of the Vestry; but I do not see that there is any sufficient ground for directing a local inquiry as suggested.

#### RULES OF THE HIGH COURT OF JUSTICE.

MR. GREENE (Shrewsbury): I beg to ask the Secretary of State for the Home Department whether Her Majesty's Government will publicly notify that printed drafts of the fresh Orders in Council or Rules of Court now under consideration for regulating the practice and procedure of the High Court of Justice may be obtained by purchase or otherwise, and will specify a reasonable time within which representations and suggestions relating thereto may be made by the Bar Committee, the Incorporated Law Society, Chambers of Commerce, and other societies and bodies appearing to be interested, and will arrange that such representations and suggestions shall be taken into consideration by the authority preparing such Orders and Rules before the same are finally settled

*Mr. Asquith*

and published or laid before Parliament?

**MR. ASQUITH:** The Government have no power to issue the suggested notification. The recent Report of the Council of Judges was laid on the Table of this House many months ago, and widely published. It was also specially communicated to such of the bodies referred to in the question as were likely to make observations on its contents. The hon. Member is, no doubt, aware that very full discussion by those bodies has taken place, and their views have been communicated to the Statutory Authorities. I am in a position to state that all such communications have been carefully considered; and, as the House is aware, any Rules that may be made have to be laid on the Table 40 days.

**MR. GREENE:** My question was directed to the Rules of Court now under consideration, and not to those which have already been laid on the Table.

**MR. ASQUITH:** So far as I am aware, those Rules are only Rules founded on the Report of the Judges.

#### RAILWAY RATES FOR IRISH BUTTER.

**MR. WILLIAM REDMOND** (Clare, E.): I beg to ask the President of the Board of Trade whether he is aware that the Great Southern and Western Railway Company are charging 4d. per firkin more than last year for single firkins sent from Ennis to Cork and intervening stations; and whether he will make any representation to the Company on the subject?

**MR. MUNDELLA:** I am still in communication with the Waterford and Limerick and Great Southern and Western Railway Companies with regard to the increase in the rates for butter to which my hon. Friend refers. The rate from Ennis to Cork is a through rate, and the Waterford and Limerick Company admit an increase of 3d. per firkin. We have not succeeded in getting a definite answer; but I will inquire further, and communicate with my hon. Friend later on.

**MR. T. M. HEALY** (Louth, N.): Have the Irish railways accepted the principle that at least the old rates should be reverted to?

**MR. MUNDELLA:** I cannot say that. There is evidently a conflict between

the Companies. The whole matter is now before the Committee, and it had better be left to them to inquire into it.

#### ~~THE~~ SERIES AT SOUTH KENSINGTON.

**SIR ALGERNON BORTHWICK** (Kensington, S.): I beg to ask the Secretary of State for the Home Department whether any steps have been taken for the protection of the inhabitants of Cornwall Gardens, South Kensington, where many burglaries have recently taken place?

**MR. ASQUITH:** I am informed by the police that there have recently been two cases of larceny by entering an attic window left open, access to which was obtained through an unoccupied house adjoining. The second of these offences was committed on the 26th of last month, and since then special measures have been taken to prevent crimes of this kind. The police are not aware of any other cases of the kind, and I may point out that for the prevention of this class of crime the police are specially dependent on the vigilance and care exercised by householders themselves.

#### ROSCOMMON POSTAL SERVICE.

**MR. HAYDEN** (Roscommon, S.): I beg to ask the Postmaster General what has been the result of the inquiries made regarding the application of the people of the Four Mile House (County Roscommon) district for additional postal accommodation?

**THE POSTMASTER GENERAL** (Mr. A. MORLEY, Nottingham, E.): I am glad to be able to say that arrangements are in progress for improving the post in question, so that it shall work six days a week instead of four only. An interval for reply will also be provided for.

#### THE NORTH SEA LIQUOR TRAFFIC CONVENTION.

**MR. GIBSON BOWLES** (Lynn Regis): I beg to ask the Under Secretary of State for Foreign Affairs whether he can state why the Correspondence relative to the signature of the Protocol of 13th February, 1893, modifying the North Sea Liquor Traffic Convention of 16th November, 1887, was not laid before this House earlier than this present week; why three months were allowed to elapse after the date of

the latest document in the Correspondence—namely, 14th February, 1893—before it was presented to Parliament; why this Correspondence was not presented to Parliament before Her Majesty's Government introduced the Bill ordered to be printed on 13th March, 1893, for carrying into effect the Convention to which the Correspondence relates; and whether, in view of the continued refusal of France to join in the Convention, Her Majesty's Government have seen any, and, if so, what, reason to depart from the conclusion expressed by Lord Salisbury, in his Despatch of 2nd July, 1891, that, if no security is obtained with respect to French vessels in the repression of the abuses which it is the object of the Convention to stop, "coopers" in the North Sea would no doubt hoist the French flag?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The delay in issuing the Correspondence was due to the fact that the printer was occupied with other and more urgent work, especially that connected with the Behring Sea Arbitration. As regards the last paragraph, I have to say that the French interest in the "cooper" trade is comparatively small; but if the result apprehended should take place, it is provided in the Protocol that the Convention can be terminated in one year or three months respectively, instead of in five years and one year.

MR. GIBSON BOWLES: Do the Government adhere to the conclusions of Lord Salisbury as set forth in the last paragraph of the question?

SIR E. GREY: The object of the Protocol is to guard against the apprehensions expressed by Lord Salisbury, or any which might possibly arise.

#### ABBEY FIELD, COLCHESTER.

CAPTAIN NAYLOR-LEYLAND (Colchester): I beg to ask the Secretary of State for War if he will explain on what grounds the Colchester and District Trades and Labour Council were refused permission to hold a demonstration on the Abbey Field at Colchester upon Sunday, 14th May, while the Primitive Methodists were allowed to use the ground for a similar purpose some few weeks since; and is there any good reason why the ground should not be

available for all public demonstrations irrespective of both party and creed, upon those days when it is not required for military purposes?

\*MR. CAMPBELL-BANNERMAN: The Abbey Field at Colchester lies between the huts and the permanent barracks, and is the drill ground of the troops. I think that there are very obvious objections to a field so situated being used for demonstrations on political and controversial subjects. The meeting held by the Primitive Methodists was simply a religious service.

#### TELEGRAPHIC COMMUNICATION AT SOUTH CLIFF, SCARBOROUGH.

SIR GEORGE SITWELL (Scarborough): I beg to ask the Postmaster General whether there is any reasonable hope of telegraphic communication being restored with the South Cliff at Scarborough; and whether, as a period of six months or more has passed since the telegraph office there was closed, he will ascertain who is responsible for the long delay and great inconvenience which have resulted?

MR. A. MORLEY: The Department is prepared to restore the telegraphic communication with the South Cliff, and I regret to say that the Corporation of Scarborough is responsible for the delay to which the hon. Member refers. They seek to compel the Department to extend telegraphic communication to the new office in a way which would be about four times as costly as that which the Department proposes to adopt, and I am not prepared to incur this expense. I trust the hon. Baronet will use his influence with the Corporation to induce them to co-operate with the Department in carrying out work which is needed by the inhabitants.

SIR G. SITWELL: When was the Corporation informed that the Post Office objected to the laying of the wire as they required?

MR. A. MORLEY: I cannot give the exact date. Communications have been passing for some time.

#### ARTIZANS' DWELLINGS FOR LONDON.

GENERAL GOLDSWORTHY (Hammersmith): In the absence of the hon. Member for Wandsworth, I beg to ask the President of the Local Government Board if his attention has been drawn to

*Mr. Gibson Bowles*

the fact that the London County Council have resolved to erect artisans' dwellings and cottages at a cost of £33,250, besides cost of foundations, on the basis of estimates at a net return of 2½ per cent. on part and 2 per cent. on the larger part, excluding the cost of foundations; and whether, this return being less than the money costs the ratepayers to raise, he proposes to make any representation to the London County Council or to take any steps on the subject?

MR. H. H. FOWLER: I have no information as to the proposals referred to, and I have no jurisdiction in the matter.

#### DOMINICA.

SIR HENRY HUSSEY VIVIAN (Swansea, District): I beg to ask the Under Secretary of State for the Colonies whether he can give the House any further information in regard to the position of affairs in Dominica?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. S. BUXTON, Tower Hamlets, Poplar): From a Despatch received yesterday it appears that the state of affairs is less serious than it was, though the island has not as yet entirely quieted down. We hope to hear further by telegram immediately. Mr. Jarvis, Government Officer of the District, and Mr. James, Inspector of Police, have left the island. Mr. Roper, who was altogether unconnected with the previous occurrences, has been appointed Resident Magistrate in the disturbed district. When we have received the further information called for, both in regard to the lamentable occurrences at La Plaine and in regard to the alleged grievances of the people in different parts of the island, we shall further carefully consider what course it may be right to adopt.

#### THE CASE OF JOHN CARRON.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether His Excellency has received a Memorial, signed by representative persons of all creeds and classes in the locality, respecting the sentence of one month's imprisonment without the option of a fine, recently inflicted by the County Monaghan

Justices at Cloves upon John Carron, aged 74, for an assault, and praying for its remission; and has such Memorial been considered; and, if so, with what result?

MR. ASQUITH (in the absence of Mr. J. MORLEY, Newcastle-upon-Tyne) said: The Memorial in the case referred to has been before the Lord Lieutenant, together with a Report which shows that the assault was of a wanton nature and committed on a quiet, inoffensive man, who was obliged to get another person bound to the peace lately. Having regard to the circumstances of the case, the Lord Lieutenant decided that the law must take its course.

#### OUTRAGE IN COUNTY WICKLOW.

MR. DANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the house of a farmer named John Conran, at Trocken, County Wicklow, was attacked by armed men early upon Tuesday morning last, and his wife and servant woman both shot dead; whether any arrests have been made; and has Conran himself been afforded protection?

MR. ASQUITH: It is unfortunately the case that the two women referred to were shot dead on the night of the 15th instant. The police cannot find any confirmation of the suggestion that the house was attacked by a body of armed men. They do not consider it advisable in this stage of the case to discuss the matter, a course which might tend to interfere with their investigation.

MR. SEXTON (Kerry, N.): May I ask whether this was an agrarian crime, or whether it belongs to the class of outrages specially reported?

MR. ASQUITH: As far as I know, there is nothing whatever to show that it was an agrarian crime.

#### IRISH LAND ASSESSMENTS.

MR. LOGAN (Leicester, Harborough): I beg to ask the Secretary to the Treasury if he can explain how it is that if owners of land in Ireland are assessed on Griffith's Valuation, the statistical abstracts show that the assessments which in 1862 were close upon £9,000,000 sterling had increased in 1877 to close upon £10,000,000, although Griffiths' Valuation had been completed long before the former year?

**SIR J. T. HIBBERT** : I believe that the increase referred to is mainly apparent and not real, being largely due to a change of classification which was made in 1877, by which farmhouses and buildings were transferred from the head of houses to that of land.

#### DEMURRAGE AT RIO DE JANEIRO.

**SIR GEORGE BADEN-POWELL** (Liverpool, Kirkdale) : I beg to ask the Under Secretary of State for Foreign Affairs whether any reply has yet been received from the Brazilian Government to the representations of Her Majesty's Chargé d'Affaires in the matter of the claims of the owner of the steamship *Fulwood* for demurrage at Rio de Janeiro ?

**SIR E. GREY** : Her Majesty's Chargé d'Affaires at Rio de Janeiro has made several representations both in writing and verbally to the Brazilian Government; but up to the date of his last Despatch on the subject, March 17, had not received a satisfactory reply. The case continues to occupy his attention.

#### THE NORTH SEA FISHERIES.

**MR. GIBSON BOWLES** : I beg to ask the President of the Board of Trade whether he was aware when, on 13th March, 1893, he introduced the North Sea Fisheries Bill, to carry into effect the Convention of 1887, that the French Chamber had refused to pass a similar law, on the ground that the Convention gave the right to foreign cruisers to search and seize French vessels in time of peace; that it would prevent fishermen from obtaining assistance from other vessels when at sea; that it would lead to different punishments being inflicted for the same offence; that no compensation was provided for vessels wrongfully detained; and that it was unnecessary, inasmuch as each country could prohibit the offences aimed at by municipal regulations; and whether, in view of the fact that the Correspondence disclosing these objections has only been presented to Parliament during the present week, he will give the House time to consider how far these objections are applicable to the case of England before proceeding further with the North Sea Fisheries Bill ?

**MR. MUNDELLA** : The fact that the French Government has refused to ratify

the North Sea Liquor Traffic Convention of 1887 has long been known to everyone interested in the removal of the evils which have prevailed in that traffic, and it was on this account that the late Government entered into a new Convention. The objections cited by the hon. Member would apply equally to the Sea Fisheries Act, 1883, and to the Convention of 1882, which has worked admirably. It is of the utmost importance, for the honour of this country and in the interests of the fishing industry, that the Convention should come into force immediately.

**\*MR. GIBSON BOWLES** : Do I understand the right hon. Gentleman to say he was aware at the time he introduced the Bill of the facts disclosed in the Correspondence, which was for the first time placed in the hands of Members this week ?

**MR. MUNDELLA** : I thought everybody was aware of the fact that for six years past the Government have been negotiating the ratification of the Convention, and that, for reasons which I need not enter into, the French Government declined, with the result that Lord Salisbury entered into a new Convention which excluded France.

**\*MR. GIBSON BOWLES** : But had the right hon. Gentleman seen the Correspondence when he introduced the Bill, although it has only just been issued ?

**MR. MUNDELLA** : I had not actually seen the Correspondence; but I was aware of the facts, and thought everybody else was.

#### SIR THOMAS BRADY'S PENSION.

**MR. WILLIAM O'BRIEN** (Cork) : I beg to ask the Secretary to the Treasury whether any decision has yet been arrived at in reference to the pension of Sir Thomas Brady ?

**SIR J. T. HIBBERT** : As I stated yesterday, the Treasury have made a proposal which they hope shortly to be able to communicate to the House.

**MR. DANE** : Have the Treasury communicated its proposal to Sir Thomas Brady ?

**SIR J. T. HIBBERT** : Yes, Sir.

#### LOCAL GOVERNMENT BOARD AUDITORS.

**MR. WEIR** : I beg to ask the Secretary to the Treasury whether it is a fact that there are now two district auditors

in the employment of the Local Government Board who have attained the respective ages of 71 and 66; whether under the provision of the 10th clause of the Order in Council of 15th August, 1890, and the letter of the Lords Commissioners of the Treasury, these officers should be compulsorily retired; and who is responsible for these gentlemen continuing in office?

**SIR J. T. HIBBERT:** The circumstances are completely set out in the Report of the Comptroller and Auditor General on the Appropriation Accounts for 1891-2 and the Correspondence appended thereto, and no observation from me is called for, especially as the matter has already come before the Public Accounts Committee.

#### THE LEE-METFORD RIFLE.

**MR. WEIR:** I beg to ask the Secretary of State for War whether all the Lee-Metford Magazine Rifles, Mark II. pattern now in store, are fitted with the Penn-Deeley patent bolt head?

**MR. CAMPBELL-BANNERMAN:** Yes, Sir.

**MR. R. G. WEBSTER (St. Pancras, E.):** Arising out of that question, may I ask what the Penn-Deeley bolt is?

**MR. WEIR** (taking a bolt out of his pocket): To satisfy the hon. Gentleman, here it is, Sir.

#### THE CUSTOMS HOUSE AND PATTERNS.

**MR. HOLLAND (Salford, N.):** I beg to ask the President of the Board of Trade if he is aware that great inconvenience is often caused to British merchants and manufacturers by the detention at the Custom Houses of patterns bearing their names, such patterns having previously been sent to their correspondents abroad, and returned for the execution of orders; and if, in view of the worthlessness of such patterns except for business purposes, and the necessity of their being promptly forwarded, the Regulations under the Merchandise Marks Act can be altered so as to prevent such detention?

**MR. MUNDELLA:** I have received complaints such as are indicated in the question, and I am most anxious to remove all impediments to the transaction of business. If the hon. Member will bring under my notice a specific

case, I will inquire into it, and communicate with the Customs with a view to a practical remedy.

#### LABOUR IN THE ROYAL PARKS.

**MR. STUART (Shoreditch, Hoxton):** I beg to ask the First Commissioner of Works what steps he has taken to assimilate the conditions of labour as to hours and wages of the *employés* in the Royal Parks to those of the *employés* in the parks under the control of the London County Council?

**THE FIRST COMMISSIONER OF WORKS (Mr. SHAW LEFEVRE, Bradford, Central):** Although the labourers in the Royal Parks are not paid at the very high level recently adopted by the London Council for the labourers in their parks, yet it appears, as the result of a recent inquiry, that the terms of employment are better than those given by other employers in London of similar labour. The question whether, under these circumstances, we should raise the minimum rate of wages for ordinary labourers to that of the London Council, is one involving many other Departments of the Government, such as the War Office and the Admiralty, and opens a very wide subject of policy. It is now being considered by a Committee of the Government, in accordance with the statement made by the Secretary of State for War on the Motion raised by the right hon. Gentleman the Member for the University of Cambridge.

#### ROAD GRANTS IN SCOTLAND.

**DR. CLARK (Caithness):** I beg to ask the Lord Advocate why the grant for roads was not given to "County Caithness as to other counties?"

**\*THE LORD ADVOCATE (Mr. J. B. BALFOUR, Clackmannan, &c.):** The grant in aid of roads in the Highlands and Islands was not given in reduction of the road rate, but for the express purpose of constructing roads and footpaths within the specially congested districts. It was a condition of all these grants that the money was to be allocated to those districts which from poverty, remoteness, and other causes, most required roads; and the wants of the districts where the access of the children to school was difficult and even dangerous was specially to be kept in mind. I may add that urgent applications have, from time to time,

been made to the Scottish Office from the Highlands and Islands for such a grant ; but, until the recent grant was expended, no applications had been received from the County Council of Caithness. I regret that there is no more money available.

#### THE WASTE OF PUBLIC TIME ON QUESTIONS.

MR. WEIR : I beg to ask the Chancellor of the Exchequer whether, having regard to the time of the House now taken up in answering questions, an arrangement could be made for the questions to be answered in a printed form, instead of orally, as at present ?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby) : I am very glad that my hon. Friend has just become alive to the fact that a great deal of time is spent in answering questions. I think it is an evil of which the House has long been conscious; but the remedy that my hon. Friend proposes has been often considered, and I am afraid it would only aggravate the evil, as it would add to waste of time, waste of paper, and waste of print. There is one remedy which I would suggest to the consideration of the House, and that is that if we had a strict rule against subsidiary questions, we might save one-third of the time expended. The putting of these questions is a recent practice, and, as far as I know, there is no authority whatever for it in this House. The practice of hon. Members getting up and saying, "Sir, arising out of that answer," practically trebles the questions on the Paper. This is a matter well deserving the consideration of the House, and I am quite sure that if the House should express an opinion to the effect I have stated, you, Sir, would be glad to enforce it.

MR. JAMES LOWTHER (Kent, Thanet) : Would the right hon. Gentleman also consider the advisability of Ministers abstaining from argumentative replies ?

MR. FORWOOD (Lancashire, Ormskirk) : And of keeping close to the questions put ?

SIR W. HARCOURT : I can only promise for myself.

MR. DILLON (Mayo, E.) : In connection with this matter, I venture to ask you, Mr. Speaker, whether you will

*Mr. J. B. Balfour*

not again consider the advisability of revising the practice of going through the Question Paper a second time, in order to save the time of the House ; and whether it cannot be ruled that any Member who is not in his place to ask his question when it is called shall forfeit his right for the day ?

MR. SPEAKER : One result of that Rule might be that questions which were passed over one day would be put down on the next day, and so swell the number of questions again.

MR. SNAPE (Lancashire, S.E., Heywood) : May I ask whether a remedy would not be found if the questions were edited before they are put on the Paper, and if such as are suitable could be sent direct to the Departments, and answered from the Departments, instead of being brought before the House ?

MR. SPEAKER : That would be a very responsible duty to undertake.

CAPTAIN NORTON (Newington, W.) : Arising out of all these questions, I should like to ask whether it would not be possible to limit the number of questions asked by any one particular Member ? Some Members only ask one or two questions during the Session, while others ask scores.

MR. SPEAKER : It is quite possible that a Member might have a legitimate curiosity which would necessitate the asking of many questions.

#### THE BUSINESS AFTER THE RECESS.

MR. W. REDMOND : Is it a fact that the Vote on Account will be taken on the first day after the holidays ?

SIR W. HARCOURT : Yes.

MR. W. REDMOND : Then, as the hon. Member for South Antrim has given notice that he will raise the question of the condition of Clare, I beg to say that I will be there.

#### MOTION.

##### PROHIBITED PERSONS (DRINK) BILL.

##### LEAVE. FIRST READING.

Motion made, and Question proposed, "That leave be given to bring in a Bill to prohibit the Sale of Intoxicating Liquors to persons of drunken habits."—(*Mr. Bill.*)

SIR W. LAWSON (Cumberland, Cockermouth) : May I ask what is the nature of the Bill ? It seems to have a good object ; but I would suggest that

it might be improved by being made to apply to persons of sober habits before they get drunk.

MR. BILL (Staffordshire, Leek): I hope the hon. Baronet will allow the Bill to be printed before he expresses any opinion on it. It is a very small affair. It simply provides that persons who have been convicted a certain number of times within a given period will be under disabilities, and unable to go to a public-house to buy drink. It will be for the House, when it has the Bill in print, to say whether, as I think it will, it commands universal satisfaction.

Motion agreed to.

Ordered to be brought in by Mr. Bill, Captain Bowles, and Mr. Hanbury.

Bill presented, and read the first time. [Bill 372.]

## ORDERS OF THE DAY.

### NORTH SEA FISHERIES BILL.

(No. 259.)

COMMITTEE. [*Progress, 10th May.*]

Bill considered in Committee.

(In the Committee.)

Clause 3.

Question proposed, "That Clause 3 stand part of the Bill."

\*MR. GIBSON BOWLES said, he objected to this and to every other clause in the Bill, because the provisions could only be enforced by adopting in times of peace methods that ought only to be resorted to in times of war—namely, search and seizure. Under this Bill foreign cruisers would be enabled to search a British vessel, examine her papers, and if the commander of the vessel were not satisfied with them to seize her, and take her into port. This was a most dangerous power to give. He had no objection to the enactment of laws against the exit from our ports of vessels likely to be engaged in this noxious and harmful traffic; but he did object to giving this power to foreign vessels over English vessels. A certain amount of spirituous liquor was necessary at times for sailors, and what they ought to provide against was the abuse of it. The Bill had been intro-

duced into that House under circumstances which were extremely discreditable to Her Majesty's Government, who had tried to smuggle it through the House after 12 o'clock without giving the slightest information as to its object. The French Government had refused to accept it on good and substantial grounds. Her Majesty's Government had been in possession of the Correspondence that had taken place with regard to the Convention for the last three months, and yet it was only when they had succeeded in smuggling the Bill through its Second Reading that they had condescended to lay that Correspondence upon the Table of the House. The right hon. Gentleman the President of the Board of Trade had told them he knew nothing of the Correspondence when he introduced the Bill.

THE PRESIDENT OF THE BOARD OF TRADE (MR. MUNDELLA, Sheffield, Brightside): Oh, no! What I said was that I had not the full Correspondence before me in printed form; but I knew its purport was indeed generally known.

\*MR. GIBSON BOWLES said, he had not understood that; but he would, of course, accept the statement. Still, he thought they had good cause for complaint, inasmuch as endeavours had been made to push forward the Bill after 12 o'clock when there could be no discussion. The French Government had refused to ratify the Convention on grounds which were extremely valid. Lord Salisbury was of opinion—as he himself was—that if France stood out the traffic would not be stopped, but would be carried on under the French flag.

THE CHAIRMAN: This more properly arises on Clause 1. Clause 3 simply creates penalties for infringements of the Act, and has nothing to do with policy.

MR. GIBSON BOWLES admitted that, but thought he should have some latitude in view of the attempts to smuggle the Bill through without discussion. He held that the Government ought to move that Progress should be reported, in order to give hon. Members an opportunity of reading the important Correspondence just issued before they were called upon to consider this most silly and mischievous Bill in Committee.



MR. MUNDELLA : I could not have believed that any hon. Member in this House would have delivered such a speech as that to which we have just listened. As has been pointed out, by Clause 1 the House has confirmed the Convention, and by Clause 2 has imposed penalties for exchanging or selling spirits. The other clauses are subsidiary. The circumstances of the Bill are simple. In 1886, after the greatest evils had prevailed in the North Sea Fishery, a Convention, including France, was entered into for the purpose of putting down the abominable system of "cooperage." That Convention was confirmed in 1887, and an Act was passed, promoted by my Predecessor, of which the present Bill is an exact copy, with the exception that it leaves out France, who, for reasons set forth in the Correspondence, practically because we are in Egypt, decline to join us in the Convention.

\*MR. GIBSON BOWLES : I beg the right hon. Gentleman's pardon. France objected to the Convention on the ground that this was an attempt on the part of England to dominate the North Sea.

MR. MUNDELLA : Exactly. But France has agreed to a similar Convention, which is now actually in force, and the Convention of 1886 extends over exactly the same area as this. When I came back to the Board of Trade last year, I found that Lord Salisbury had agreed to set up a separate Convention leaving out France; and as a result a Convention was entered into, and it required a new enactment, giving France the option of coming into the Convention. What was said by France herself on this subject? A French Commission sat upon it, and reported that the trade in alcohol had been carried on by persons devoid of any sense of morality on board vessels flying the German flag; that shameful advantage was taken of all the vices of fishermen, who were detained by prostitutes, and when their reason had been destroyed by intoxication the men were stripped and robbed. There were most scandalous orgies, succeeded often by scenes of robbery and murder. A more terrible statement has never been placed on paper.

MR. HANBURY (Preston) : The same thing goes on among English sailors.

*Mr. Gibson Bowles*

MR. MUNDELLA : Yes; under the influence of this system of floating brothels. This Bill is intended to put down these evils; and, in the face of what promises to be sheer obstruction, I say that no Bill ever had such claims upon this House, and that in the interests of our fishermen, and by reason of our pledges to other Governments, we are bound to place this enactment on our Statute Book as soon as possible.

\*MR. HENEAGE (Great Grimsby) said, there appeared to be a great deal of misconception in regard to the Bill. The International Convention of 1887, to devise means to suppress the floating grog-shops in the North Seas, was the result of negotiations between the British Foreign Office and the Maritime Powers of Europe. His right hon. Friend the Member for West Birmingham was the first to induce the Foreign Office to take up the question, and Lord Salisbury took steps to have the Convention assembled owing to the representations made by Sir Edward Birkbeck—a name that would be always held in respect by fishermen—and himself in 1887. That Convention was signed by all the Plenipotentiaries, and a Bill, ratifying that Convention, was passed by the House in five minutes in 1888. France alone refused to pass the necessary legislation; hence the new Convention in February last, which all the other Powers had signed and ratified, and which the Committee were now asked to ratify by passing the Bill before it. Therefore, France would now either have to come into the arrangement, or bear the responsibility of the "floating bells" carrying on their illegal traffic under her flag—a traffic the consequences of which to the moral and commercial welfare of the fishermen few hon. Members could fully realise. As to Clause 3 under discussion, it was entirely subsidiary to Clauses 1 and 2, which had been passed. His hon. Friend opposite objected to Clause 3. But they could not amend the Bill. They must now either take the Bill as it was, or nullify the proceedings of the Convention of February last. The House of Commons, in 1888, passed an Act ratifying the previous Convention, and Clause 3 of the present Bill was word for word in exactly the same terms as Clause 3 of the Act of 1888.

England was the first to ask the Maritime Powers to enter into an engagement to deal with the evils complained of, and it was a matter of honour that we should do what was necessary on our part to carry it out. England, of all the Powers who had signed the first Convention, had not yet ratified the second Convention, and she was bound in honour to ratify it. It was believed, too, that France would come in as soon as the other Powers had ratified the Convention. That France thought it was necessary something should be done to protect the fishermen was proved by the fact that a Commission appointed by the French Government in 1889 to inquire into the subject fully recognised the evils of the existing system, and agreed that it was necessary something should be done to abolish it. He would read an extract from the Report of the Commission—

"After an inquiry ordered by the Government of Great Britain, the Commissioner charged with the Mission declared that the presence of 'floating grog-shops' at the fishing grounds constituted a permanent source of disorder among the fishermen, and that the most detestable evils ran riot in these establishments; theft, abuse of confidence, threats, violence, brigandage, obscenity and fraud; drunkenness, pushed to its most extreme limits, produced as a necessary consequence outbreaks and indiscipline among the crews. To satisfy their passions the fishermen spent not only the resources destined for the maintenance of themselves and their families, but bartered away for beer and bad liquor the fish and fishing gear belonging to their masters. The Commissioner added that violent deaths had resulted from the scenes which took place on board this new kind of public-house."

The statement that the men often bartered away the fish in order to obtain drink on board these floating grog-shops was perfectly true. Two skippers were brought before him, as Chairman of Quarter Sessions, for bartering away their employers' fish, and he was sorry to say he had to sentence them to hard labour. They had been respectable men, and were reduced to that condition by the evil influences of these grog-shops. If the Committee desired to keep up the morality of the fishermen, and earn the gratitude of the fishermen, and especially the gratitude of the wives of the fishermen, they would pass the Bill at once.

MR. HANBURY said, there were two distinct parts in the Bill. They were all agreed as to the terrible effects

of the spirit traffic in connection with the North Sea Fisheries, and that those evils should be stopped, or mitigated, if possible. But hon. Gentlemen should not try to rush through the Bill on pleas of that kind. It was not because a Bill was well-intentioned that it would be an effective Bill. He confessed he should like to have the present discussion postponed till a later clause of the Bill, because Clause 3, which they were discussing, limited the effect of the measure solely to British sailors. He thought the House should do everything it could to limit the traffic as far as British sailors were concerned. He was sorry to say that it was the conduct of British sailors mainly that had led to such legislation; and in the face of the extreme objection which France had taken to any Convention of the kind he thought the Bill should apply to British seamen alone, both in respect to selling intoxicating liquors and purchasing them from other ships. Therefore he had no objection to Clause 3, but he thought it was useless to go further, and pass a Bill which would be inoperative. The Bill was not limited to grog-shops alone. It might fall heavily on innocent British sailors. It did not apply only to fishermen who wanted spirits, but it might be applied to fishermen who, after a storm, wanted fresh rigging or an anchor. Another great objection to the Bill was that France did not come into the arrangement. It was all very well to say that a similar Bill was passed by the late Government; but things had altered very much since then. France was then a party to the arrangement. France refused to ratify the Convention now. The fact that France would be a party to the arrangement made the arrangement inoperative. Let them do everything, so far as they could, to legislate for British sailors; but it was idle to go further and pass an Act which would be inoperative, and which would possibly make them a laughing-stock. The mere fact that France refused to join in the Convention made it possible for the traffic to be carried on in the future just as in the past.

MR. MUNDELLA: No, no!

MR. HANBURY said, he did not see how the traffic could be prevented under the circumstances. At all events, the operation of the Bill should be confined

to our own sailors or fishermen, with whom alone we had power to deal.

Mr. Mundella rose in his place, and claimed to move, "That the Question be now put."

Question, "That the Question be now put," put, and agreed to.

Question, "That Clause 3 stand part of the Bill," put accordingly, and agreed to.

Clause 4 agreed to.

Clause 5.

Question proposed, "That Clause 5 stand part of the Bill."

Mr. HANBURY said, he would like to hear some explanation from the President of the Board of Trade on the points he had raised. He would like to know whether the Government had taken into serious consideration the objections which the French Government had offered to the Convention? An attempt had been made to pass the Bill without discussion after 12 o'clock, before some Members of the Government and Members generally knew anything of the serious objections raised to the Convention by France. Their action in objecting to the Bill being passed after 12 o'clock was, therefore, justified. He did not think the Bill should be discussed at any length that day; but he thought they should have some statement from the Government as to whether they had really satisfied themselves that in legislating without the concurrence of France we were not leaving out a very important factor in the problem; and whether, by passing this Bill, we should be able to stop this abominable traffic if it were possible for French vessels to carry it as heretofore? He believed the Act would prevent British people from indulging in the traffic, but did not think much good would follow, as France would still be free to carry it on.

SIR G. BADEN-POWELL (Liverpool, Kirkdale) hoped that the right hon. Gentleman would explain, by reference to the Correspondence, in what way he had come across the information that France was opposing the Convention in connection with some question of her claims in Egypt.

Mr. MUNDELLA: My reference to that subject was based upon the state-

ment in the Correspondence that France had complained that the English were dominating the seas, and that we had not been sufficiently considerate to her in dealing with the Egyptian Question. I may add, in reply to the hon. Member for Preston, that France has always been an innocent party in this matter, because she has never supplied bad spirits to the fishermen. It is chiefly Belgians, Scandinavians, and sometimes Germans, who supply these vile and injurious spirits. France is alive to this great evil, and I hope, by-and-bye, France will come to a better understanding and join us. It was not the French Government that objected to the Convention. They did their best to get it carried, but the obstruction to this legislation came from the Members of the Committee of the French Chamber. This clause is simply a repetition of a corresponding clause in the previous Act. The House has already passed the enacting clauses, and, really, as there is nothing left to discuss, I hope we will go through with the Bill.

Mr. JAMES LOWTHER (Kent, Thanet) said, he agreed that very little time ought to be consumed in discussing the Bill; but he was bound to say that, in his experience, he had never known tactics less calculated to advance the end in view than the tactics of the right hon. Gentleman. The right hon. Gentleman had charged those who had brought forward Amendments to the Bill with obstruction.

Mr. MUNDELLA: No; it was the right hon. Gentleman the Member for Great Grimsby.

\*Mr. JAMES LOWTHER said, that the right hon. Gentleman, instead of narrowing the range of discussion, had introduced a subject which, if followed up, might have led to an interesting Debate on Egypt and the foreign policy of this country. It was an extraordinary thing to find a Minister, who was in charge of a Fishery Convention Bill, going beyond the province of the Bill, and charging a Committee of the French Chamber, which represented every section of the Chamber, with obstructive tactics. He did not wish to be drawn into a discussion on the Constitutional arrangements of the French Chamber, or on the foreign policy of this country; but no thanks were due to

*Mr. Hanbury*

the right hon. Gentleman in charge of the Bill that such topics did not now make a large demand on the time of the Committee. With respect to the action of France, he was afraid the right hon. Gentleman, from his observations, was scarcely a Minister calculated to approach France on this subject with the necessary conciliatory spirit; but he wished to know whether any steps had been taken by the Government to obtain from the Government of France some assurance that, while standing outside the Convention, they would, as a matter of French Municipal Law, endeavour on their part to put down what was universally admitted to be a grave scandal and reproach? If the Government had taken steps to obtain from the French Government some expression that they would assist to abolish this infamous traffic, it would have been far more satisfactory to the Committee than for the Minister in charge of the Bill to indulge in vain denunciations and strictures upon the Committee of the French Chamber.

\*MR. GIBSON BOWLES said, one little fact had escaped the notice of the President of the Board of Trade. The right hon. Gentleman had stated that there was no danger of French vessels engaging in the liquor traffic in the North Seas. Perhaps that was because the French had not hitherto engaged in the fishing. The fishermen were mostly Englishmen, Dutchmen, and some Norwegians. But it was stated in the Correspondence that the French people, and especially the inhabitants of Boulogne, were now beginning to fit out vessels for the North Sea Fisheries; and as the French would be the only persons allowed to engage in this traffic in the future they would be very much tempted to engage in the traffic on a large scale. He would also call the attention of the Committee to the fact that when the former Act was passed, in 1888, France had taken part in the Convention. But the situation was now entirely changed. France had taken no part in the present Convention, but not because, as the right hon. Gentleman had indiscreetly stated, she was jealous of our position in Egypt. There was no mention of Egypt in the Correspondence. The right hon. Gentleman the Member for Great Grimsby had

quoted from the Correspondence of 1891, but he ought to have also quoted from the Correspondence of 1892. In the French Correspondence he found it stated—"England has tried to usurp the dominion of the seas."

MR. MUNDELLA; Hear, hear!

MR. GIBSON BOWLES maintained that England had usurped nothing. What England sought to retain was her own dominion over the seas; but France stated that we had usurped the dominion of the seas, and had refused to join in the Convention in order to prevent English cruisers roaming about as the police of the seas. His objection to the Bill was that it would give power to any vessel of the five nations in the Convention to overhaul any merchant ship whatever in the North Seas.

Captain Norton rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

\*MR. GIBSON BOWLES repeated that his objection to the Bill was that under it any English merchant ship going to the North Seas was liable to be seized by a naval officer of any of those five nations, and its papers searched and overhauled, and the vessel seized and taken into port. He denied the imputation that had been made broadcast upon our fishermen—that they were drunkards, and that they desired to be protected by foreign cruisers. He knew them well; he had sailed for many years with them, and he undertook to say that there were no honest men in the country, and that a larger number of them were temperance men than of any other class.

MR. SNAPE (Lancashire, S. E., Heywood): I rise to Order, Mr. Mellor. I desire to ask, are the observations of the hon. Member in Order on this clause?

THE CHAIRMAN: I do not think the hon. Member is out of Order.

MR. GIBSON BOWLES said, the Bill would place the English fishermen, who, as he had said, were a temperate body of men, under the dominion of foreign cruisers. They occasionally required an anchor, or cable, or something of the kind after a storm; but the effect of this Convention would be that vessels

would be indisposed to supply them with any of these things for fear of falling under the suspicion of being engaged in the "coopering trade." He contended that the Convention was unnecessary. The English fishermen were not drunkards, and did not need this legislation. Foreign cruisers, he contended, should not have the right to capture English vessels in the North Sea.

Mr. Mundella rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

Mr. HENEAGE said, hon. Members had asked how were we to hope that France would come in? He would give them the answer in the words of the Commission to which the investigation of this question was deputed. On page 21 it was stated—

"The results of our not adhering to the Convention must be considered. It would none the less exist among the five other signatory Powers, who have decided to forbid absolutely the liquor traffic among the fishermen of their respective nations. What would be the consequence? Being hampered in their contraband trade, the floating grog-shops would not hesitate to fly the French flag under the pretext that France had not adhered to the Convention, and that, consequently, her flag would be protected against the pursuit of cruisers. Is it our interest to displease the neighbouring Powers by not lending them our moral and effective support in this work of improvement? Should we be right in sheltering under our honoured flag an immoral, shameful, and disgusting trade?"

With reference to the suggestion that English vessels would be put at the mercy of foreign cruisers, he pointed out that the moment a cruiser discovered a floating grog-shop its duty would be to call in the cruiser of the nation to which the vessel belonged, and ask them to take care of the case.

MAJOR RASCH (Essex, S.E.) said that, as one who had more fishermen in his constituency probably than any other hon. Member, with the exception of the right hon. Member for Great Grimsby and the hon. Member for Lynn, he hoped hon. Gentlemen on that side would not impede that clause, but would allow the Bill to pass. It was perfectly true, as the hon. Member for Preston had said, that they had not been allowed to discuss the Bill; but the Government had not

allowed them to discuss anything except the Irish Home Rule Bill, and when they discussed that they were closed. However, on the principle that half a loaf was better than no bread, he hoped the Bill would be allowed to pass.

Clause agreed to.

Clause 6.

MR. HANBURY said, that the ground France took for not joining the Convention was that five other important nations refused to join. Were the Government, in order to make this Bill effective if passed into law, prepared to negotiate with Norway and Russia with the view to joining in a fresh Convention, for France, Russia, and Norway were all concerned in these fisheries, and had had no share in this Convention?

MR. MUNDELLA stated that the Norwegian boats did not remain at the fishing ground, but simply ran out and home again, whilst Russian boats did not fish in this part of the North Sea. The discussion on the Bill had already occupied more than three times the amount of time his right hon. Friend (Mr. Marjoribanks) had placed at his disposal, and he felt that he must carry out his engagement. Not a single Amendment had been put on the Paper in reference to any clause, and unless the Bill was at once passed through he should move to report Progress.

MR. HANBURY would tell the right hon. Gentleman that it was his own conduct of this Bill which had led to the opposition. If the right hon. Gentleman had not been constantly bringing charges of obstruction against the Opposition and against the French Government, who questioned his proceedings, and had done what he had done that day—namely, put down the Bill in Government time at an earlier period, very little objection would have been raised. He did not think it right this clause should be claimed to be taken now because they had not put down Amendments. The reason they had not put down Amendments was because they wanted the Bill to go through. He hoped the right hon. Gentleman would adopt his suggestion, and enter into negotiations with Norway and Russia.

*Mr. Gibson Bowles*

SIR G. BADEN-POWELL expressed the hope that the Government would recognise the importance of applying to those Powers that had not joined the Convention for support, as a vessel could, by hoisting the flag of one of these Powers, prevent search by a cruiser.

MR. MUNDELLA replied that if they found a vessel hoisted the flag of one of these Powers in order to sell grog they should feel it their duty to approach the Government of that Power on the subject. He expressed the opinion that the French people had not done anything in this direction—they had been perfectly innocent of such proceedings.

\*MR. GIBSON BOWLES said, that very serious International considerations, and also the interests of the fishermen themselves, had made him feel it to be his duty to make a few remarks on the Bill. They did not wish to obstruct it, and never had justified any charge of obstruction, and they were now disposed to let the right hon. Gentleman have his Bill if he would behave nicely to them in future, and take what steps he could to avoid what might become an abusive practice of search, seizure, and capture of English vessels by foreign enemies.

MR. HENEAGE said, in reply to the hon. Member, he might point out that the Report from which he had already quoted stated that—

“The Convention of the 6th of May, 1882, relative to the police of the fisheries in the North Sea was signed by the same Powers. Its object was much more important than that of the Liquor Traffic Convention, without presenting greater features of interest for our country. We accepted it, but it has not given rise to any incident concerning us. There is still less reason to fear the present stipulations, which, while protecting the morality and sobriety of the fishermen, will prove to be absolutely inoffensive.”

Clause agreed to.

Remaining Clauses agreed to.

Bill reported, without Amendment.

MR. MUNDELLA asked the House to consent to the Bill being read a third time.

Motion made, and Question proposed, “That the Bill be now read the third time.”—(*Mr. Mundella.*)

MR. GIBSON BOWLES said, they had allowed the Bill to pass through Committee in spite of grave doubts; and he hoped, therefore, the right hon. Gentleman would allow the Third Reading to stand over. They had shown by their conduct that they were not disposed to do anything but what was generous; and, for his part, he should very much like time to enable him to communicate with his fishing constituents as to the Bill.

MR. HENEAGE hoped the hon. Gentleman would not press his objection, because, at the present moment, all the fleets were in the North Sea, and it was therefore important that the provisions of the Bill should be put into force at once.

Question put, and agreed to.

Bill read the third time, and passed.

SUPPLY—CIVIL SERVICES AND  
REVENUE DEPARTMENTS, 1893-4.  
Considered in Committee.

(In the Committee.)

CLASS I.

1. £283,923, to complete the sum for Revenue Department Buildings, Great Britain.

MR. FORWOOD (Lancashire, Ormskirk) said, the previous evening he ventured to put to the Secretary to the Treasury one or two questions, to one only of which he had up to the present received an answer. He at once said that the question which was answered by the Chancellor of the Exchequer was replied to in the most satisfactory manner. The right hon. Gentleman undertook to consider the suggestion that, instead of charging the cost of Post Office buildings on the Votes for the year, it should be spread over a number of years, the same as was done with the expenditure for barracks and fortifications. But there were two other points to which he had not yet received a reply. One was as to the form of the Estimates, and the other was as to Re-Votes. The right hon. Gentleman told him that the items opposite which “Re-Votes” were marked indicated sums of money voted in the previous year, but which had not been spent, and which, therefore, had to be re-voted this year. These Re-Votes amounted, in the case of the Post

Office, to no less than £46,000, and on Customs and Inland Revenue buildings to £5,500, making a total of £51,500 apparently at the disposal of the First Commissioner of Works on these items. That amount, if this Estimate was accurate, must have been either surrendered or spent. Clearly it had not been surrendered, because from the Return with which he had been favoured by the First Commissioner of Works he found that the total sum at his disposal for 1892-3 for Revenue Department buildings was £237,000, of which he expended no less than £231,000. Either, therefore, the Return must be erroneous, or he had spent for works not indicated in the Estimates of last year over £50,000. He should like to ask the First Commissioner of Works whether, in the expenditure of money not required for one item, he could apply it to another without Treasury control? He knew that in other Departments the Treasury had to be consulted before money saved from one item could be expended on another. That Treasury control very often led to great delay and inconvenience, and his experience was that such control was not of advantage to the Service. Another question in reference to the Treasury control was this: Did that control extend to the stoppage of the commencement of any work in the financial year until the whole Vote had been passed by that House? because, if it did, the summer season, which was best for building purposes, was often lost, and the work not commenced till the autumn, so that the amount of money which the First Commissioner might have expected was not expended.

\*THE FIRST COMMISSIONER OF WORKS (MR. SHAW LEFEVRE, Bradford, Central) said, the right hon. Gentleman had yesterday made an attack on his Department, although that attack in reality was more on the Colleagues of the right hon. Gentleman than it was on him (Mr. Shaw Lefevre). He thought the right hon. Gentleman, before making his observations, should have consulted his Colleagues who sat beside him, for they would have removed some of the misconceptions into which he had fallen. The right hon. Gentleman said that the Treasury had starved the Post Office Vote; that great delays took place in the completion of

these works after they had been agreed upon; that the money which had been voted and not been expended on these works had been surrendered to the Treasury, and that the Votes, as presented, were entirely misleading. To the first of these charges—namely, that the Treasury starved the Post Office Vote, he had no complaint to make of the Treasury, and he did not think there was any ground for the suggestion that had been made under the late Government. There was equally no ground for the other complaints made by the right hon. Gentleman. The facts of the case were shortly these: The Department had under construction at the present moment no fewer than 64 Post Offices in different parts of the Kingdom. These works were at different stages of progress. At the commencement of every financial year the Office of Works made out an estimate of what could be spent upon each of these works, and that estimate formed the basis of the aggregate Estimate laid before the Treasury, and finally before Parliament. Experience had shown that in the course of the year where so many works were undertaken, accidents and unexpected events occurred which prevented the full expenditure taking place on some of these works. In other cases disputes occurred with the contractors, or strikes took place, or questions arose regarding light and air, and the result was that in a certain number of these works delays occurred, and it was found impossible to expend in the financial year all that was expected at the commencement of it. In order to meet these cases and prevent the voting of unnecessary money for any financial year, the practice had been for the Treasury to make a reduction on the aggregate Vote of about one-fourth from the aggregate Estimate. In other words, when the total amount was to be added up, the Treasury had been in the habit of making a reduction of one-fourth, which in practice had been proved to be exactly the amount to deduct from the aggregate Vote. He had before him a statement showing the actual Vote in each of the four or five years, and the actual expenditure, and it was very curious how nearly the two coincided. In 1889-90 the aggregate Vote for the

Revenue Department buildings was £125,900; and the actual amount expended £126,800, a difference of less than £1,000. In the year 1890-91, the amount voted was £215,000, and the amount expended £213,600, a difference of only £1,400. In 1891-92 the amount voted was £214,000, and the amount expended £227,000, an excess of £13,000, which had to be met by a Supplemental Vote. In 1892-93, the amount voted was £237,000, and the amount expended £231,000, showing an expenditure of within £5,000 or £6,000 of the aggregate Vote. He thought that entirely disposed of the complaint of the right hon. Gentleman. He quite agreed that when once they began a work they should push on with it.

MR. FORWOOD asked, what about the Re-Votes, amounting to £50,000?

\*MR. SHAW LEFEVRE said, he had explained that from the aggregate Vote there was deducted by the Treasury one-fourth. In the course of the year, from accidents of various kinds, it was impossible to spend the whole of the sums anticipated in respect of particular post offices, and a Re-Vote was necessary. It was not a Re-Vote of the aggregate amount, but in respect of that particular item. The Treasury sanction was obtained for the transfer from one item to another without difficulty, and no inconvenience was found in practice to that expenditure. He could assure the right hon. Gentleman that his experience at the Admiralty must be very different to his, because he had found no difficulty whatever in getting the Treasury to facilitate arrangements of that kind. As he had said, he quite agreed that when once a Post Office was begun the true policy was to complete it as quickly as possible; that was a policy he had always endeavoured to carry out, and he had found no difficulty in the Treasury voting the necessary sums of money to carry out that policy. The right hon. Gentleman had stated that the Return which had been presented showed that the average length of time for the erection of a post office was five years. He had been misled in that respect by the

inclusion in the Return of many post offices, of which the total cost was very large; but where a few hundreds only were to be spent in completing them during the current year.

MR. FORWOOD: That is not what I said. What I said was that the amount of money asked for this year, compared with the total expenditure of £1,096,000, showed that it would take five years to complete the works.

MR. SHAW LEFEVRE: That is precisely what I said. The right hon. Gentleman had been misled by figures which he had not studied. Included in that Return were many post offices which were just on the point of completion, and on which a very small amount would be expended within the year. If they deducted these cases, instead of the average time for the erection of a post office being five years, it would be found to be less than three, which, having regard to the magnitude of the works, was not excessive. The Department was doing its utmost to complete the works when once they were begun, and it would fully recognise that no economy was so bad as to delay works when once commenced. He now came to the Liverpool Post Office, a subject in which the right hon. Gentleman was naturally so much interested. It was a fact that two or three years ago a very large sum of money was voted by the late Government for the purpose of purchasing a site for the Liverpool Post Office. Apparently, it was not anticipated that last year it would be possible to spend any sum to commence building; but in the course of the year it became possible to do so. Tenders were invited for commencing the foundations; the lowest was accepted, and if things had gone on as was expected it would have been possible during the last year to have expended a considerable sum of money upon them. But, unfortunately, as sometimes happened, a dispute arose with the contractor as to the terms of the contract and the conditions imposed upon him under the tender, which led to delay, and



only that day they had been apprised by their solicitor that they were justified in treating the contract as at an end, and in accepting the next tender. The result had been that during the last year they had been unable to expend any money on the Liverpool Post Office; but they hoped to be able to do so at once. The work of preparing the foundations in a building of that magnitude was very great, and it was not, therefore, likely that any money would be spent on the building itself during the present year; but the work would be pushed on with the utmost expedition. He agreed with the right hon. Gentleman that there was much to be said in favour of treating these Post Office buildings as a matter of capital expenditure, instead of voting the money every year, and the Chancellor of the Exchequer had undertaken to consider the matter.

MR. FORWOOD said, he understood the right hon. Gentleman to say that his Department submitted to the Treasury the sum of money which they had anticipated they could expend in the coming financial year over each of the different buildings; that the Treasury had a better knowledge of these matters than the expert officers of the Commissioner of Works, and struck off one-fourth from the total, and, as a matter of fact, that after such revision the total left really represented the amount of work that could be done in the course of the year, thus showing the Treasury could make a better estimate than the Office of Works. If it was the fact that the Treasury were better able to estimate the amount of money that could be expended on post offices than the First Commissioner of Works, he would strongly urge that when that right hon. Gentleman put down the amount required for the year opposite each and every work, instead of putting it at the larger sum of £15,000 or £20,000, as the case might be, he should take 25 per cent. off each of these works, and then they should see the amount which, in the judgment of the Treasury, could be expended on the work, and they would thus get rid of that misleading item of Re-Vote. It was not

really a Re-Vote, as the right hon. Gentleman admitted, and it was, therefore, misleading to represent it as such. He submitted that he was justified in raising this question, as the Estimates themselves were misleading, and led the House to believe that a large sum of money voted last year had not been spent, when the real fact was that the money had not been voted. He believed that if the First Commissioner of Works had had more money he would have been enabled to complete a greater number of Post Office buildings, and so do the work more efficiently than was done by starving the work from considerations of the Treasury.

\*MR. SHAW LEFEVRE could assure the right hon. Gentleman he was entirely mistaken if he thought there had been any starving of this Vote. There were 64 works in hand. The Office of Works at the commencement of the year brought an Estimate in respect of each of them, and the aggregate amount went to the Treasury. The Treasury, with the full assent of the Office of Works, guided by experience of the past, knocked off one-fourth of the whole amount, which the results showed exactly led to the requirements of the year. It would not be advisable to follow the course suggested by the right hon. Gentleman, and knock off 25 per cent. from these works. There was no difficulty in getting the consent of the Treasury to transfer the Vote from one item to another, as the requirements necessitated; the whole arrangement was a convenient one, and in the aggregate the work was done as anticipated.

MR. TOMLINSON (Preston) attributed the delay of completing the works in hand and the insufficiency of money for the post offices to the system which compelled the Post Office to satisfy the Treasury as to the requirements in particular places. Naturally the Treasury would not look beyond the immediate present, and they allowed post offices to be designed and built which satisfied the wants of the place at the particular time, but which took no regard whatever for the expansion of the town and the consequent necessity for an increase of accom-

*Mr. Shaw Lefevre*

modation. His own borough of Preston was an instance of this. They had there a post office which was built, he supposed, 40 years ago, when the town was only about half the size it was at the present time. The town had gone on increasing; telegraphs and parcel post had been added, so that additional post office accommodation was urgently needed. Years ago this matter was brought under the notice of Mr. Raikes, who considered various schemes. It happened that the Post Office at Preston was in one of the leading thoroughfares, so that there was no room to enlarge it, and, therefore, what the authorities had to contemplate was the providing of a new site and the building of new buildings. It appeared to him that the system of passing the Estimates for Post Office buildings from the Post Office to the Treasury, and from the Treasury to the Board of Works, entailed an enormous amount of delay and unnecessary work. The condition of the post office at Preston was that about 20 men were working in a place which was not fit for more than 10 at the outside. The conditions under which the officials had to carry on their business was conducive neither to health nor the efficient discharge of duties. He did not want to travel beyond this Vote, but he would like to point to the fact that they had this curious matter connected with the Post Office, that while the buildings and works came on on this particular Vote the acquisition of sites came on in another Vote, and before they began to build they must of course acquire the site. He should like to know at what point the jurisdiction of the First Commissioner came in in reference to the acquisition of the site? It appeared to him that the public interests were not well served by the intervention of that officer when he did come in. The Post Office was really a Commercial Department, which ought to be conducted on commercial lines, and those who were responsible for its management, when they decided that further accommodation was required in a particular place, should not be hampered by having to go to another Department. He should be glad if the right hon. Gentleman could make any statement about the present position of the Preston Post Office, or state what steps it was

intended to take towards providing the increased accommodation which was so urgently needed in that town.

\*SIR JOHN LUBBOCK (London University) said, that the right hon. Member for the Ormskirk Division of Liverpool had made an interesting and practical speech, which resolved itself very much into a question of the advisability of Treasury control. As one who had been for many years on the Public Accounts Committee—for some time Chairman—he could bear his testimony that, although the Treasury made mistakes occasionally, like other Departments, yet its control was advantageously exercised, and conducted very much to the economy of the finances of the country. His hon. Friend spoke of the Post Office and Treasury as being two separate concerns, but he rather looked upon them as two Departments of one business carrying on the affairs of the nation. The right hon. Member for Ormskirk questioned very much the present form of keeping accounts, because he said—if he understood him correctly—that the Controller and Auditor General found it practically impossible to give his certificate under the present system.

MR. FORWOOD: My remarks had reference to one special form of Estimate placed before the House which is totally different to the form of Estimate placed before the House by all other Departments, and on that form of Estimate I said that the Controller and Auditor General could not give his certificate with any degree of accuracy. This points out certain expenditure to be allocated to certain buildings; but that expenditure, although set out on the Estimate, is varied by a lump sum deducted in the aggregate.

\*SIR JOHN LUBBOCK said, with all due deference, he thought there would be no difficulty in giving the certificate under the form of Estimate they now had. Of course, whether it was a desirable form or not was another question. As far as his experience went, he did not anticipate any difficulty on the part of the Controller and Auditor General in

giving his certificate under the present form of Estimate. His right hon. Friend suggested they should get out of the difficulty alluded to by using the power of the Treasury to grant transfers from one sub-head to another. That was a useful provision in keeping the national accounts, and was exercised by the Treasury with great judgment. No doubt there was some convenience in allowing money to be transferred from one Vote to another, and, though it would be a mistake to put any great restrictions on the practice, there were objections to it, and it was not desirable that it should be resorted to oftener than could be avoided. He had been under the impression that £180,000 was the total cost of the Liverpool Post Office, but it now appeared that that amount did not include the cost of the site; and to that extent the statement in the Estimates was misleading. In order to have all the facts before them the purchase of sites should be included in the Return. In the case of Landport Post Office nothing was to be spent this year, although there had been an original and a revised Estimate of £6,700, and if there were no idea of spending anything he did not see why it was introduced at all. Great loss in interest was involved in undertaking so many works and expending so little upon them. To acquire sites and to do nothing with them for a long time made a very serious addition to the cost of the buildings. He understood that the First Commissioner was willing to expedite building operations as much as possible, with a view to minimising this source of loss, and, therefore, he did not think it necessary to pursue the subject further. Some of the suggestions of the right hon. Member for Ormskirk would rather complicate our accounts, and the right hon. Gentleman hardly did justice to the valuable supervision exercised by the Treasury.

MR. BARROW (Southwark, Bermondsey) was understood to ask what was the contemplated expenditure on the new post office at Croydon?

MR. POWELL WILLIAMS (Birmingham, S.) inquired what was proposed to be done with the old post office at Birmingham, an ugly building, whose

*Sir John Lubbock*

ugliness was rather added to by its present unoccupied condition? The popular idea in relation to the building in Birmingham was that it was absolutely unsuited to any purpose whatsoever. If the right hon. Gentleman could devise some means of disposing of it and getting it occupied he would confer an advantage on the inhabitants of the town. He should also like to ask a question in relation to the incidence of charge for these post offices as between the Telegraph and Postal Services. The first point would arise upon the original cost of the building, and he should be glad to know how that cost was distributed between one Service and the other. He believed the system formerly in operation was that the superficial space of the floors in the building was ascertained, the quantity of that area appropriated to the two branches of the Service ascertained, and the total charge of the building was distributed as between the two Services upon that calculation. He should be glad to know if that system was still in operation or not. A further question arose in relation to maintenance and repairs. Some years ago maintenance and repairs were charged—25 per cent. to the Telegraph Service and 75 per cent. to the Postal Service, and if that was the case now he did not see how it could be justified. If a less charge on the important item of maintenance and repairs was being made upon the Telegraph Service than ought strictly to be made it was very clear that the deficiency on the Telegraph Service was in reality much more considerable than the Estimate showed, and if the deficiency were increasing it was also clear that there might exist a necessity for a change of policy in relation to the Telegraph Service. As he understood from the First Commissioner of Works, the Treasury contemplated trying the adoption of some system of capital expenditure in relation to these buildings. It was a very curious circumstance that if a Municipal or other Local Body wished to erect an expensive building it did not do it out of revenue. Such a process would be absolutely impossible, inasmuch as for a year or two over which the expenditure would extend there would be such an increase of rating as would be intolerable. Therefore a loan was borrowed for the total value of the building and site,

and that loan was spread over a series of years, having some relation to the life of the building, probably being 50 or 60 years. That, on the face of it, was a fairly just system, and for this reason: A building lasted far beyond the term of the life of the persons who, under the system pursued by the Crown, had to pay the whole cost of it; and, therefore, by the Municipal system, the cost of the building was really paid for by the generation which had the use of it. It would be a perfectly fair and just system if something of the kind could be applied by the Treasury to buildings of a permanent character, such as those provided for the accommodation of the Post Office, the Customs, and other Services.

SIR J. T. HIBBERT said, it was quite true that nothing was proposed this year as regarded the post office at Landport. He believed they were quite prepared to undertake the building, but it was uncertain whether they would be able to do it this year. If, fortunately, they were able to commence the building, they would be able to do it out of the savings of another Vote. As representing the Treasury, he did not in the least find fault with the right hon. Member for Ormskirk for his criticisms; but, on the contrary, he rather thanked him for usefully drawing attention to many points in the Estimates. He differed from the right hon. Gentleman, who said that the column as to Re-Votes was more misleading than it was. He thought it was clear what was meant by that column, though he quite agreed with the right hon. Gentleman in his criticisms with respect to the information given. He quite agreed that the form in which the Re-Votes were given was very misleading. For instance, there was a case in which £6,860 was voted last year and a sum was spent, leaving £2,000 unappropriated. That was put down for this year as a Re-Vote of £2,000, but it was a Re-Vote of less, because last year there was taken off from the total a certain amount which would have the effect of reducing the Re-Vote to a less sum than £2,000. He was going to suggest that the Treasury should consider whether a better

form could not be devised for next year, and if his right hon. Friend would wish to make any suggestions on the subject he would be glad to receive them. With regard to the long delay in the building of post offices, and to the suggestion that they should be built out of capital, he did not see why that should be done for post offices unless it were to be done for all other public buildings throughout the country. If it was desirable for one, it was desirable for all. What he would suggest to the First Commissioner was that quite so many post office buildings should not be undertaken at the same time. There were 64 now in some process of construction, and, in his opinion, it would be better to have only one-half that number on hand and to spend a larger sum upon them.

MR. JACKSON (Leeds, N.) said, that it would be desirable to give great consideration to the form in which the Estimates should be presented. What the House of Commons wanted was to get more information, instead of less; the present system was not calculated to give them that, and he hoped the matter would have the attention of the Treasury. Another matter to which he wished to draw the attention of the First Commissioner was the Leeds Post Office. This work had been on hand a very long time, and there was not a case in the United Kingdom which was more pressing, in view of the fact that it was in contemplation to make Leeds a still more important centre for forwarding telegraphic communications, and that the present building was entirely inadequate. He noticed that only £20,000 was to be voted this year as compared with £24,000 last year. He could not understand how anyone who had prepared the Estimate could consider himself justified in reducing the amount. Only £18,500 was spent last year, and that might seem some justification for reducing the amount. But last year there were local circumstances which tended to delay. The building was now well advanced, and there was no reason whatever why not only £20,000 but even £40,000 should not be spent upon it during the present year. What he desired to ask the right hon. Gentleman was that, if he had it in

his power, he would not allow the work to be limited by the amount of the Vote, but let it make as much progress as it could.

\*MR. SHAW LEFEVRE said, that the contract was entered into more than a year ago by his Predecessor—

MR. JACKSON: There was a strike.

\*MR. SHAW LEFEVRE said, that was so; and thus the right hon. Gentleman would see that the amount to be expended depended not upon the Government, but upon the contractor. Nothing, he could assure the Committee, would be done by the Department to delay the work. If, under the contract entered into by his Predecessor, it was possible for the contractor to make greater progress, more money would certainly be expended.

MR. TOMLINSON said, there were other questions to be answered.

MR. SHAW LEFEVRE said, with regard to Croydon he had to say that £5,000 was the total amount which it was intended to spend.

\*MR. GIBSON BOWLES said, he would like to point out to the right hon. Gentleman the First Commissioner, and the Committee, the great difference between the amounts of the original and revised Estimates, which might be made still larger next year. For example, the new Sorting Office at Tothill Fields was now put down for more than double the original Estimate. Telegraph factories also showed a large increase. They had in one case, he found, an Estimate of £983,857, and another Estimate of £960,152, and even the revised one, which was the higher, was not final. That was a very serious matter, because the House was asked to vote for the buildings involved on the original Estimate, whereas they were now asked to sanction an expenditure of over £1,000,000 more. Surely that would strike them as a very serious abuse. In another item they had an original Estimate of £137,000, and a revised Estimate of £190,000. Why, the difference would constitute a small fortune! Next year, perhaps, they would have another increase of £20,000. They had still

*Mr. Jackson*

another item, relating to the North-Western District, with an original Estimate of £26,000, and a revised Estimate of £54,000. Was not that a serious condition of affairs? In the matter of the telegraph factories, the increase was from £36,700 to £65,000. Next year he supposed it would be £75,000, and it might even go up to £85,000 the year after that. But perhaps the right hon. Gentleman did not care what happened next year, as he knew he would not be in Office then. At the same time, he would like to know whether the right hon. Gentleman could not do something to place the House in a better position with regard to these Estimates.

MR. POWELL WILLIAMS said, that he had received no answer to the question he had put.

MR. SHAW LEFEVRE: It is a matter of account, and I would prefer that it should be discussed on the Report stage.

MR. POWELL WILLIAMS said, it was not a matter of that kind, but a matter of principle, and it should not be treated so lightly.

\*MR. SHAW LEFEVRE said, he would look into the matter referring to the Telegraph Department. The Birmingham Post Office buildings had not been sold because the Government did not think that the offer which they received was good enough. In regard to the increase in the present Estimates, he would point out that the original Estimates had been framed in some cases six or seven years ago. Wages were much higher now than they were then. As to the Tothill Fields Office, it was found that largely increased accommodation was acquired since the original estimate was framed.

LIEUTENANT-COLONEL LOCKWOOD (Essex, Epping) asked for further information with regard to expenditure.

\*MR. JAMES LOWTHER said, there was a question of great importance which he would like to press upon the notice of the Government—namely, that of electrical communication with light-houses and lightships. He had often tried to do so before, but he could not

get an opportunity, and he doubted whether this was the Vote upon which he should speak regarding the subject.

MR. SHAW LEFEVRE said, this Vote did not cover the subject-matter of the inquiry proposed to be put.

\*MR. JAMES LOWTHER said, the right hon. Gentleman was rather premature. He wanted to guard himself, if this were not the proper Vote, against being subsequently precluded from raising the question at a later stage. What he desired to ask was whether there was included in the Estimates any provision for carrying out the unanimous recommendation of the Royal Commission relating to this question? [*Cries of Order!*]

THE CHAIRMAN: Order!

SIR J. T. HIBBERT said, he understood the right hon. Gentleman, and could only answer that he did not know at present. He would now appeal to the Committee to allow the Vote to pass.

MR. PLUNKET (Dublin University) said, he would not delay the Committee, but he was anxious to know what was being done in regard to the buildings at Manchester, the site for which had been acquired?

\*MR. SHAW-LEFEVRE said, he hoped the matter would be proceeded with in the course of the coming year.

MR. FORWOOD wished to thank the First Commissioner for the courteous way in which he had met the remarks which had been offered.

Vote agreed to.

2. £170,232, to complete the sum for Public Buildings, Great Britain.

\*SIR JOHN LUBBOCK said he wished to call attention to the want of accommodation for examinations at the London University. The Government had recognised the fact that the accommodation was deficient, but seemed disposed to put off dealing with the matter almost *sine die*. If they would only inquire into the subject, he was sure they would satisfy themselves that something should be done at once. The

Millbank site was by no means the most convenient that could be selected. His view was that, as additional accommodation was required at South Kensington, arrangements should be made whereby that accommodation, and the additional accommodation for examinations required at the London University, should be given in the same building. This would be much the most economical arrangement. The cost of the University to the National Exchequer was very small; in fact, with the exception of the buildings, the expenditure was more than recouped by increased fees. The government of the University was carried on at no expense to the State. The number of students going up for examination increased nearly 10 per cent. every year, the total number of students doubling itself each decade. At present, the examinations took place in buildings by no means suitable for the purpose, where there was not sufficient means of giving accommodation to successive batches of students. Clearly it was very disadvantageous for a batch of students in chemistry to be obliged to undergo an examination in a room just vacated by another batch, where the atmosphere was laden with the fumes of previous experiments. The late Government had recognised the necessity of something being done, and had proposed to add another storey to the University buildings, but the Royal Academy Authorities had objected on the ground that it would interfere with their light. It had been expected that the late Government would have taken steps to give additional accommodation at South Kensington, but nothing had been done.

\*MR. SHAW LEFEVRE: The Government have not lost sight of the subject to which the right hon. Baronet refers. I thought we had gone a long way towards meeting the wishes of the right hon. Gentleman by suggesting the Millbank site, not only for the Civil Service Commission Buildings, but for London University examination rooms. Of course, if the London University object to that site their objection will be entertained, and we shall consider what

provision can be made elsewhere, but it occurred to me that, on the whole, it would be well to have the examination rooms in combination with other buildings.

SIR A. ROLLIT (Islington, S.): desired to impress on the Government the necessity for something being done at once. The matter had been discussed the other day at the Senate of the University, and the unanimous opinion was that the accommodation was so defective that the students could not do justice to their work. He thought that in the interests of education something should be done. As to the Millbank site, he concurred with what had been said by the right hon. Baronet. The examination rooms ought to be near the University, and he doubted whether the proposed site was at all suitable. Furthermore, it was desirable that there should be no delay; therefore, he hoped that something would be done in the matter as rapidly as possible.

\*SIR J. LUBBOCK said, he did not desire to be understood as objecting to the Millbank site. It was only as a matter of economy that he suggested they should go to South Kensington. He would, however, press on the Government the necessity of doing something as soon as possible.

MR. MACARTNEY (Antrim, S.) said, there was an item for the residence of Parliamentary counsel, and he should like to know what explanation the Government had to offer with regard to such a charge? It seemed to him to be as dark and mysterious as any item the hon. Member for Peterborough had ever drawn attention to. He should also like to know how it was that the item for the Public Works Loan Board had increased from £700 to £2,000?

\*MR. SHAW LEFEVRE said, the increase referred to was due to the fact that the Bank of England, to whom the building belonged, had raised the rent, and the Government were not in a position to raise objection. No doubt the building was worth £2,000 a year. The item for buildings for Parliamentary Counsel was owing to the old quarters having been given up for the purposes of the Admiralty. In a short time those quarters would be pulled down, and this was

thought to be a convenient opportunity for removal to Whitehall, where a private house had been obtained. The rent charged was not excessive.

MR. JOHNSON-FERGUSON (Leicester, Loughborough) said, he presumed that when the buildings at the St. Martin's side of the National Gallery were finished that portion of the structure would be complete. No one could say that the buildings at that side were not handsome and suitable for their purpose. But the buildings on the opposite side, near Pall Mall, were not such as they ought to have for national purposes. The approaches were a disgrace to the country. It would be impossible to improve them, and make them like those of the other side, so long as the barracks were maintained in the rear. Besides being inconvenient in this sense, the barracks were a source of danger in the possible event of fire. He had heard it said, and he hoped it was true, that the Government proposed to remove the barracks to the Millbank site.

\*MR. A. C. MORTON (Peterborough) said, he saw a sum of £25 in the Estimates for the Whitehall Banqueting House. He had understood that that building had been given up to an institution of some sort; and he should, therefore, like to know whether it was still to be kept in repair at the expense of the public? On another page he found an item of £1,000 for electric current against £150 last year; and he found that, in spite of this increase, there was no reduction in the charge for gas and oil. He failed to understand how the whole of the charge for the electric lighting could be put down as an extra. Some time ago he had put a question to the Government as to the condition of the water in the Fountains at Trafalgar Square, which was supplied from the Orange Street Waterworks. The tanks were in a disgraceful state, and he should like to know if the right hon. Gentleman the First Commissioner of Works would give orders to have them cleaned out? Though he (Mr. Morton) had called attention to their state every year for some years past nothing had been done in the matter. As they now had a new First Commissioner

*Mr. Shaw Lefevre*

of Works, and as there was some fear of cholera coming to this country, he would ask the Government for some explicit statement as to what was to be done in this matter.

\*MR. SHAW LEFEVRE said, that the barracks behind the National Gallery would, by arrangement with the War Office, eventually be removed to Millbank, and this would enable the Government at some future time to make a further extension of the National Gallery. The day was not far distant when it would be necessary to do that, in order to find room for all the pictures of the National Collection. He did not agree that the approaches to the Gallery were unworthy of the country. The question of the condition of the water in Trafalgar Square had not been brought under his notice since he had been in Office; but he would make inquiries into the matter. He ventured to hope that the Committee would now pass the Vote.

MR. JOHN BURNS suggested that the Department for which the right hon. Gentleman the First Commissioner was responsible should follow the example set by the London County Council in other parts of London and the City Corporation, and provide orderly boxes in Trafalgar Square and other open spaces in which pieces of paper, orange peel, and so forth could be thrown.

MAJOR RASCH (Essex, S.E.) urged the right hon. Gentleman the First Commissioner of Works, in connection with Item D, for Caretakers, to remember the case of discharged soldiers, and to give them situations as caretakers when he had the opportunity. He could say a great deal on that subject, but he would not now take up the time of the Committee.

Vote agreed to.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir J. T. Hibbert*),—put, and agreed to.

Resolutions to be reported upon Monday, 29th May.

Committee to sit again upon Monday, 29th May.

#### ADJOURNMENT (WHITSUNTIDE).

Motion made, and Question proposed, "That this House, at the conclusion of the Morning Sitting this day, do adjourn until Monday, 29th May."—(*Mr. Chancellor of the Exchequer*.)

LORD R. CHURCHILL (Paddington, S.): I do not, of course, rise to offer any opposition to the Motion, or raise any question of a personal character; but I want to put a couple of questions to the Chancellor of the Exchequer on matters of first-rate importance. The first question I put to the right hon. Gentleman on account of his authoritative connection with the Treasury. Some 10 days or a fortnight ago I asked the First Lord of the Treasury for a Return setting out the payments which are the first charges on the Irish Exchequer in connection with the demands made by England under certain clauses of the Government of Ireland Bill, and the First Lord of the Treasury gave what I understood to be a promise that the Return should be prepared. I cannot think it is a Return that would take long to prepare. The information ought to be in the Treasury. I would ask the Chancellor of the Exchequer whether he will undertake to inquire at the Treasury whether the Return is being prepared; and whether he will also undertake that it shall be presented, if not immediately on the recommencement of business, at any rate within a few days, because the matter is one that will require a great deal of study? It is merely a financial Return, yet one which is absolutely necessary for the information of the House. The other subject upon which I would put a question to the right hon. Gentleman is as to Lord Herschell's Indian Currency Committee. It is almost a public scandal that this Committee having been appointed months ago, and having held frequent sittings, that now, when we are getting on towards the middle of summer, we should be without any promise or pledge that the Committee is going to make a Report. Numerous questions have been put to the Government as to when the Committee will report, and we have always been bidden to hope that the



Report will not be long delayed. The right hon. Gentleman is perfectly aware that until the Committee reports the Indian Government are absolutely precluded from deciding anything whatever in the preparation of their financial policy. I know that Ministers have no authority over Royal Commissions; but I should imagine that they can exercise the greatest possible influence, and if the Members of Lord Herschell's Committee are entirely unable to agree upon a Report, at least let us have from them the evidence, and any expression of opinion which two or more of them may have agreed upon.

MR. CHAPLIN (Lincolnshire, Sleaford): I do not wish to raise any general discussion whatever on this Motion; but it may be convenient to the Government if I follow my noble Friend in submitting two questions to the Government. One of them has been anticipated by my noble Friend. I had intended to press a question as to the Report of Lord Herschell's Committee; but what my noble Friend has said leaves me nothing to add, except to call attention to a paragraph which I noticed yesterday in the public Press. The following was telegraphed from Calcutta:—

"The exchange, after remaining fairly steady for some weeks, has now fallen to a point which is almost the lowest ever reached. Great anxiety is expressed on all sides for the Report of Lord Herschell's Committee. Indeed, the tension has become almost intolerable, and longer delay may have serious results, as the Government of India must speedily decide whether it will be necessary to call a special Session of the Legislature at Calcutta in July for the purpose of imposing fresh taxation."

I presume the Chancellor of the Exchequer himself will not deny that that is a true statement, and that there is no exaggeration in it; and before we separate for the Recess I do hope the right hon. Gentleman will reply to the question of my noble Friend, and will tell us distinctly whether there will be any Report at all; if so, when that Report will most probably be presented, and how long India is to be left in a state of suspense? I pass to the second question I wanted to raise, and on that I shall have to address myself partly to the Chancellor of the Exchequer and partly to the Minister for Agriculture. It arises from an answer given

to me yesterday in reply to a question. I asked if the Government had made up their minds as to whether they would give effect to the Departmental Committee which has recently sat upon the question of swine fever? That is a question which, in the agricultural districts, is considered of the greatest importance. It is, moreover, one with regard to which there is now a general consensus of opinion that the time has come when this matter ought to be taken under the control of a Central Body—namely, the Government—like the unfortunate diseases, foot-and-mouth disease and pleuro-pneumonia. At the commencement of the Session I asked the Minister for Agriculture if he was prepared to deal with this question, and he replied to me that he thought it necessary to appoint a Departmental Committee to inquire into all the circumstances before taking that step. I pointed out to him, and urgently pressed upon him, that if he wished to deal with the question economically and effectually he could not do better than deal with it at once—at the beginning of the Session, and for one reason in particular—namely, that at that time he had a most effective staff of Inspectors, who would have been perfectly well able to carry out the work. As pleuro-pneumonia has greatly decreased, a large part of the staff of Inspectors may be dispensed with; and, in all probability, there will not be the present facilities for dealing with swine fever if action is postponed for an indefinite period of time. I must say I have never been able to see the necessity for the appointment of that Departmental Committee. It always appeared to me, I must confess, like a pretext for shelving the question, at all events for the present, and I am confirmed in that by the Report of the Committee, in which there is absolutely no new information. Be that as it may, the Committee reported, as it was a foregone conclusion they would, in favour of the policy which I advocate—namely, that this matter should be taken up and dealt with by Her Majesty's Government without delay. Two paragraphs of the Report, to which I will in a few brief words call attention, bear out what I say. In Section 24 they point to the overwhelming evidence given to the effect that if

proper measures were adopted swine fever would be extinguished in a reasonable time, and they go on to say—

“But we are satisfied from the evidence submitted to us that, owing to the impossibility of securing uniform action under the jurisdiction of the Local Authorities, it cannot be extirpated unless under the direction of a Central Authority.”

Well, the Minister for Agriculture, 10 days or a fortnight ago, was asked whether he was prepared to give effect to the recommendation of the Committee, and he replied that he could give no answer until he had had an opportunity of seeing and studying the evidence. Yesterday he was asked the same question, and he gave the same reply, whereupon I myself ventured to ask him where there was any information whatever contained in the Report of the Committee which was not perfectly well known already, and which he could not have obtained in his own Department; and I venture to say, having read the Report with great care, and having referred to it again since I asked the question yesterday, that the statement I made was absolutely true, and that there is absolutely no information of any sort or kind contained in the Report which could not have been obtained in the Office of the Agricultural Department. The Committee has reported most strongly in favour of this thing being done, and it appears to me that all the Minister for Agriculture and the Government have to consider is two things: first, they have to frame the Estimates, which are necessary; and, secondly, to obtain the consent of the Treasury to the money necessary for giving effect to the Report. It has been whispered to me that the Estimates foreshadowed in the Report are of enormous proportions. I do not know whether it is true, because I have not seen the evidence; but I have heard it stated that the amount required will be £400,000. I cannot understand what necessity there was to go to a Committee for evidence on that point. Estimates for a purpose of this kind ought to be settled in the Department itself, and it seems to me extremely foolish to go to a Committee for such information, however that Committee may be constituted. But I think, on this point, I can offer

the Government a word of consolation. If, when I held the position of Minister for Agriculture, I had been deterred by the Estimates first presented to me, we should never have had the Pleuro-Pneumonia Act at all. We had that Act, however, and it has been attended with absolute and complete success. I would, therefore, suggest to the Minister for Agriculture that he should not be deterred by any rumours or any evidence given to the Committee of the enormous sum which is likely to be required for this purpose. I cannot, of course, say what may be the case in Ireland—I should have to refer to the Irish authority before dealing with that country; but I will undertake to say this—that, so far as England is concerned, I believe that the sum sanctioned in the Pleuro-Pneumonia Act would be sufficient to enable the Government to deal successfully with the difficulty. The Government could safely embark on a measure at once. There is not likely to be any controversy or opposition in the House. If they brought in a measure without delay, it might be put into operation by September. Even in the present financial circumstances of the Government, the Chancellor of the Exchequer might stretch a point and make a very useful concession to the agricultural interest. I do hope that the Government will favourably consider this proposal. Surely the present situation of the agricultural interest demands some consideration at the hands of Her Majesty's Government. The position of the agricultural interest never has been worse, I believe, than it is at the present time for many years; but no step has been taken by the Government in its interest, with the exception of the appointment of a roving and general Committee of Inquiry. Even there I should have been ready to go with you, but for the absolute conviction in my mind—a conviction amounting to absolute certainty—that the inquiry would be productive of nothing but delay, and, therefore, would be mischievous rather than useful. Everything for which we have asked with regard to the agricultural interest has been refused. Early in the Session we asked the Government whether it would not be possible to give some further relief from local taxation;

but the Chancellor of the Exchequer and the Prime Minister absolutely put their feet down upon any proposals of that kind. The Chancellor of the Exchequer is aware that I have always been a great advocate of currency reform in the interest of the agricultural portion of the community. I entertain that opinion to-day as strongly as ever I entertained it. It is an opinion which I believe is growing every day, not only in this country, but in foreign countries. You used at one time to treat it with ridicule and sneers, but it is now supported by many men on the Continent and in America of such experience, and such ability, and such knowledge of the subject, that you are no longer entitled or able to treat it in that way. Although you had an opportunity of doing something effectual on this subject when the Conference was held at Brussels, you did everything in your power to bring the proceedings of the Conference to nothing. I know the right hon. Gentleman the Chancellor of the Exchequer differs from me on that point. I have given as much attention to it, and studied the proceedings as closely, and had as much information upon it as anybody in the country, and I adhere most deliberately to the opinion I expressed in the Debate we had some time ago. At an earlier period of the Session the Government were asked to give effectual guarantees that there should be no possible risk of a return of pleuro-pneumonia to this country, and to pass a short Act which should make the slaughter of all foreign animals landed in this country compulsory. Even there we were met with the opposition of the Minister for Agriculture, on grounds which I thought then, and still think, were inadequate and unreasonable under all the circumstances of the case. Everything almost that we have asked has been refused; and now with regard to this very simple matter, which could be so easily done at comparatively small cost, the Government seem unwilling to make up their minds to act without delay. I do not wish to detain the Committee longer; but, in view of the reply I received from the Minister for Agriculture yesterday, I thought I could not allow this opportunity to pass without endeavouring to impress on the Government the

necessity there is for dealing with this question at once.

SIR W. HARCOURT: In reply to the noble Lord opposite, I may say that, as to the Returns he desires of the charges on the Irish Revenue, I will take care that everything is done to accelerate their publication. I agree with the noble Lord and the right hon. Gentleman with regard to Lord Herschell's Committee, as to the vital importance of an early decision on the Indian Currency question; and, though I have no official information, I believe the final stage has been reached at which an agreement is likely immediately to be arrived at. I hope the House will, with the very shortest delay, be informed of the decision of the Committee, and from reports which have reached me, I do not despair of an agreement among the persons forming the Committee. The House must not, however, take this as an official communication. The right hon. Gentleman has spoken, and most fairly spoken, of the importance of the measures to put down swine fever. Well, Sir, I recognise the importance of that subject. In fact, I hope the result of the Motion I have submitted to the House will be to enable me to go into a part of the country where this question is one of vital importance. I wish to relieve my right hon. Friend the Minister for Agriculture from the greater part of the burden of responsibility for an immediate decision not having been arrived at. I have not had placed before me officially the cost of this work. My unfortunate position is this. As I ventured to point out in my Financial Statement, there are constant demands being made on the Government to undertake new works of every description. Some of these works may be desirable; but it is absolutely necessary, in the position I hold, that I should examine what will be the cost of these new undertakings before they are commenced. I must tell hon. Gentlemen opposite that if demands for such a sum as £400,000 are made, I shall have to ask for more money, and probably I shall have to ask for the repeal of the clause that was put into the Customs and Inland Revenue Bill abolishing the Goschen stamp. The right hon. Gentleman opposite does not seem to think that it would cost £400,000 to stamp out swine fever; but

surely we must see how much it would cost before we come to any decision. We will look into the matter, and if we find there is power to carry out the recommendations of the Committee, and we can do it reasonably, it shall be done. The right hon. Gentleman can be assured that we shall approach the subject with every desire to deal with it in a manner that will give some relief to the agricultural interest. I cannot be tempted, even on the present occasion, to follow the right hon. Gentleman into a discussion of bi-metallism.

MR. CHAPLIN: I never mentioned bi-metallism.

SIR W. HARCOURT: Even the original promoters of the Brussels Conference, when the fatal 30th of May was approaching, postponed it until the end of November. I will agree with the right hon. Gentleman that we also should postpone the question and any further discussion on it till the end of November. The right hon. Gentleman alluded to another large subject—that of local taxation. He reproaches us with not having made any further grants in relief of local taxation. I do not propose to argue that question over again; but he knows very well that in the course of the last few years there has been something like £4,000,000 a year chargeable upon the taxpayer for the relief of local taxation. Whether if we had left these £4,000,000 in the hands of the Exchequer we might not have been able to do more for the agricultural interest and for the other interests of the country is a very arguable question. I do not believe that there is such a sense of relief from what has been given in reduction of the rates as at all adequately corresponds to the amount that has been granted. I believe myself that if the £4,000,000 had been devoted to the stamping out of swine fever, and many other objects in connection with the agricultural interest, agriculturists would have obtained more benefit than they have, as a matter of fact, obtained from these grants, which I am afraid, in many cases, are like rivers running through the sand and disappearing in swamps. This is, I think, a matter for very serious consideration

before we enter into any further expenditure in that direction. I am glad to learn, from the able Report which my right hon. Friend the President of the Local Government Board (Mr. H. H. Fowler) has prepared, that there has been a very sensible relief to the rates, and that in the agricultural districts the rates are now very much lower than they were in former times. Remember what this £4,000,000 represents. It means 2d. on the Income Tax. This ought to be borne in mind when complaints are made as to the height of the Income Tax.

\*MR. COHEN (Islington, E.) pointed out that the Goschen tax on securities to bearer had been repealed precisely because it had not yielded as much as it had been expected to yield, and the right hon. Gentleman would recollect that the yield for 1892-3 was not, as he stated by a *lapsus linguae*, £600,000, but £60,000.

MAJOR RASCH (Essex, S.E.) wished to support what had been said by his right hon. Friend the Member for the Sleaford Division (Mr. Chaplin) on the subject of swine fever, although he had nothing to allege against the Minister for Agriculture (Mr. Gardner). That right hon. Gentleman had acted to the best of his ability, although he had not done the agriculturists very much good. He (Major Rasch) could not understand, as a matter of common sense, why, if the right hon. Gentleman had before him the Report of the Committee with reference to swine fever, he should also want to go into the evidence that had been placed before the Committee. As to the cost of dealing with swine fever, it had only cost £120,000 to stamp out pleuro-pneumonia; and it was, therefore, utterly impossible that the expenditure on swine fever would amount to as much as £400,000. If the Chancellor of the Exchequer had only left on the Estimates the sum that had been allocated to pleuro-pneumonia, there would be no difficulty whatever in the matter. The Minister for Agriculture had now only to harden his heart and ask the Chancellor of the Exchequer for an additional sum, and all difficulty would be obviated.

MR. HENEAGE (Great Grimsby) said, he must congratulate the Minister for Agriculture on the way in which he had acted up to the present time. He hoped the right hon. Gentleman would go on in the course he had hitherto pursued. He was glad the right hon. Gentleman had appointed a Committee with reference to swine fever. It was a new thing to him to learn that swine fever was well known through the country, and that veterinary surgeons were well versed in it. He had been under the impression, until the Committee's Report was presented, that swine fever was a complaint of which veterinary surgeons had little knowledge. He was glad they were now coming to the conclusion that they knew what the disease was. If it was to be stamped out it must be dealt with as a whole, and not approached in a half-hearted manner. It could not be dealt with altogether as pleuro-pneumonia was. Swine fever was a most infectious thing, and it would be necessary to pull down buildings and to use disinfectants on an extensive scale if it was to be destroyed. His own opinion was that money would be absolutely and entirely thrown away if the disease were dealt with in anything like a half-hearted manner.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden): I should not have spoken but for some remarks of my hon. Friend opposite. I cannot imagine that any Government can possibly entertain the proposals that have been made on the subject of swine fever until they have seen the evidence. The foundation for saying that the large sum of £400,000 will be needed, if it exists anywhere, is to be found solely in the evidence of which we are not in possession. Until we have the evidence before us it is quite impossible for us to consider the subject at all. There are various questions that will have to be considered when the subject is dealt with. For instance, swine fever is not confined to a few of the Eastern Counties of England, but extends to Ireland, and it would be necessary to consider the restrictions that would have

to be imposed upon those who send pigs from one portion of the United Kingdom to another. We should also have to deal with what I might almost call the sanitation of the dwellings of pigs. There are, in fact, many large questions that will have to be dealt with when the subject is taken in hand.

MR. MACARTNEY (Antrim, S.) asked whether the Chancellor of the Exchequer proposed, after the Motion respecting the holidays was disposed of, to go on with the other Orders of the Day. Some of those Orders were of the most contentious character, and certainly one or two of them ought not to have been put down for discussion on that occasion. He thought it would conduce to the progress of business if the Government would state that they had no intention to take anything after the 5th Order of the Day—(Supply [18th May] Report)

SIR W. HARCOURT: We propose, after this Motion as to the Adjournment, to take only the Conveyance of Mails Bill and Report of Supply.

COMMANDER BETHELL (York, E.R., Holderness) said, he wished to know what decision had been come to with reference to the Zulu prisoners? Was it proposed, as had been stated, to restore them to their country in a few months? Considerable apprehension existed, and he should be glad to know what were the intentions of the Government.

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Mr. S. BUXTON, Tower Hamlets, Poplar) said, that the reports which had appeared in the papers on this subject, and to which the hon. and gallant Member no doubt referred, might give rise to misunderstanding and unfounded hopes among the Zulu tribes. The report that he had stated to the Secretary of the Aborigines Protection Society that the Zulu exiles would be restored to their country in a few months was not correct. The Government had given the closest attention to these Zulu questions; but they thought that, as the present Administrator was about to retire, it would be better to wait for his Report and for the

appointment of his successor before taking any steps. It was admitted by everyone that Dinizulu and the other Chiefs would have to return to their own country before very long, but the question was when and under what conditions. The friends of these Chiefs would do them ill service by creating the impression that they would be allowed to return to their country and occupy the positions which they held before exiled. They would, indeed, go back under very different conditions. The Government would deal with the question at the earliest possible moment in a way which they hoped would be satisfactory to all who were interested in that country. He was glad that the hon. Member had raised this question, as there appeared to have been some misapprehension as to the intentions of Her Majesty's Government with regard to it, and some misrepresentation of what he had said to the Secretary of the Aborigines Protection Society.

MR. CLOUGH (Portsmouth) said, he should be glad to have some assurance from the Government that the question of Greenwich Age Pensions would receive early attention after the Whitsuntide Recess. It had been before a Select Committee, which had favourably reported on the Resolution of the House with regard to it, and he was bound to say that his loyalty to the Government had been severely taxed by the delay in dealing with it. As a Member for Portsmouth, he was well aware that great dissatisfaction prevailed at the continuous delays. He, therefore, hoped the Chancellor of the Exchequer would assure them that there should be no further delay.

Question put, and agreed to.

Resolved, That this House, at the conclusion of the Morning Sitting this day, do adjourn until Monday, 29th May.—*(Mr. Chancellor of the Exchequer.)*

#### CONVEYANCE OF MAILS BILL. (No. 263.)

Read a second time, and committed for Monday, 5th June.

#### SUPPLY—REPORT.

Resolutions [18th May] reported.

#### CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

##### CLASS I.

1. "That a sum, not exceeding £48,719, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for Expenditure in respect of Miscellaneous Legal Buildings, viz., County Courts, Metropolitan Police Courts, and Sheriff Court Houses, Scotland."

2. "That a sum, not exceeding £22,951, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for Expenditure in respect of Art and Science Buildings, Great Britain."

3. "That a sum, not exceeding £25,201, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for Expenditure in respect of Diplomatic and Consular Buildings, and for the maintenance of certain Cemeteries Abroad."

Resolutions agreed to.

##### PRIVATE BILLS.

Ordered, That Standing Orders 39 and 129 be suspended, and that the time for depositing Petitions against Private Bills, or against any Bill to confirm any Provisional Order, or Provisional Certificate, and for depositing duplicates of any Documents relating to any Bill to confirm any Provisional Order, or Provisional Certificate, be extended to the first day on which the House shall sit after the Recess.—*(The Chairman of Ways and Means.)*

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 3) BILL.—(No. 334.)

Read the third time, and passed.

#### LOCAL GOVERNMENT PROVISIONAL ORDER (HOUSING OF WORKING CLASSES) BILL.—(No. 331.)

Read the third time, and passed.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 288.)

As amended, considered; to be read the third time upon Monday, 29th May.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.—(No. 330.)

As amended, considered; to be read the third time upon Monday, 29th May.

**PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 1) BILL.—(No. 310.)**

As amended, considered; to be read the third time upon Monday, 29th May.

**PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 2) BILL.—(No. 328.)**

As amended, considered; to be read the third time upon Monday, 29th May.

**LOCAL GOVERNMENT (IRELAND) PRO-  
VISIONAL ORDER (No. 5) BILL.  
(No. 346.)**

Read a second time, and committed.

**TRAMWAYS PROVISIONAL ORDERS  
BILL.—(No. 336.)**

Read a second time, and committed.

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 12) BILL.**

On Motion of Sir Walter Foster, Bill to confirm two Provisional Orders of the Local Government Board relating to the City of Manchester, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 365.]

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 13) BILL.**

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the urban sanitary districts of Carshalton, Festiniog, Macclesfield, Northampton, Ossett, and Richmond (Surrey), and to the rural sanitary district of the Wakefield Union, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 366.]

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 14) BILL.**

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Isle of Thanet (Urban) Joint Hospital District and the Keighley and Bingley Joint Hospital District, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 367.]

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 15) BILL.**

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the urban sanitary districts of Abergavenny, Bolton, Kingston-upon-Hull, Wolverhampton, and Worthing, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 368.]

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 16) BILL.**

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the counties of Hereford, Monmouth, and Worcester, to the cities of Chichester and York, and to the rivers of the West Riding of Yorkshire, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 369.]

**LOCAL GOVERNMENT PROVISIONAL ORDER  
(HOUSING OF WORKING CLASSES  
(No. 2) BILL.**

On Motion of Sir Walter Foster, Bill to confirm a Provisional Order of the Local Government Board under "The Housing of the Working Classes Act, 1890," relating to the urban sanitary district of Stretford, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 370.]

**METROPOLITAN POLICE PROVISIONAL  
ORDER BILL.**

On Motion of Mr. Herbert Gladstone, Bill to confirm a Provisional Order made by one of Her Majesty's Principal Secretaries of State under "The Metropolitan Police Act, 1886," relating to land in the parish of St. Giles-in-the-Fields, ordered to be brought in by Mr. Herbert Gladstone and Mr. Secretary Asquith.

Bill presented, and read first time. [Bill 371.]

**REFORMATORY SCHOOLS (SCOTLAND)  
BILL.—(No. 202.)**

Lords Amendments to be considered forthwith; considered, and agreed to.

Whereupon, in pursuance of the Resolution of the House this day, Mr. Speaker adjourned the House, without Question put, until Monday, 29th May.

**TRADE REPORTS.  
(ANNUAL SERIES.)**

Copy presented—of Diplomatic and Consular Reports on Trade and Finance, No. 1196 (France) [by Command]; to lie upon the Table.

**COTTON CLOTH FACTORIES ACT, 1889.**

Copy presented—of Amended Table, Schedule A (Maximum Limits of Humidity of Atmosphere at given Temperatures) [by Act]; to lie upon the Table, and to be printed. [No. 224.]

House adjourned at twenty-five minutes after Six o'clock.

## HOUSE OF COMMONS,

*Monday, 29th May 1893.*

## QUESTIONS.

## FURLOUGH PAY TO OFFICERS FOR INDIA.

SIR SEYMOUR KING (Hull, Central): I beg to ask the Under Secretary of State for India whether his attention has been drawn to the case of Surgeon Lieutenant-Colonel Benjamin Franklin, who entered the Indian Service on the 1st April 1869, under the Military Furlough Rules of 1868, which stated in effect that his furlough pay would be issued to him at the exchange of 2s. for the rupee; whether he has petitioned the Secretary of State to have his name added to the list of those officers who have been declared to be entitled to be paid at par when on furlough, and his petition has been rejected; and why the Secretary of State declines to comply with the terms of the contract under which Surgeon Lieutenant-Colonel Franklin entered the Service?

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. GEORGE RUSSELL, North Beds.): Yes, Sir. The attention of the Secretary of State has been drawn to this case. (2.) In 1886 Surgeon Lieutenant-Colonel Franklin petitioned the Secretary of State to the effect mentioned in the second part of the question. (3.) The Secretary of State was unable to admit that this officer had any claim, under the terms on which he entered the Service, to receive furlough pay at the rate of 2s. the rupee.

SIR SEYMOUR KING: Would the hon. Gentleman mind saying why?

MR. GEORGE RUSSELL: The Secretary of State has the power, and therefore the duty, to regulate this scale of pay entirely at his own discretion, and there is no compact or bargain in the case.

## CRIME IN COUNTY KERRY.

\*MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he

is aware that at the O'Dorney (County Kerry) Presentment Sessions a claim for malicious injury was made by the Rev. Augustine Dillon for £500, on account of the burning of a schoolhouse; that the evidence showed that the books, maps, &c., had all been collected in a heap and fired; and that, on a man being remonstrated with, he declared that they had paid for the school and could do what they liked with it; and if the police have any clue to the perpetrators of this outrage?

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): The National schoolhouse at Knockraohy, County Kerry, which is under Roman Catholic management, was maliciously burnt down on December 22 last. The amount originally claimed as compensation by the manager, the Rev. Mr. Dillon, was £500; but as it subsequently appeared that the damage done to the building was less serious than at first believed, the rev. gentleman at Presentment Sessions, held on the 4th instant, fixed the value of the damage at £275, which sum was awarded. The facts adduced in evidence at these Sessions are correctly stated in the question. I understand that at a religious service held by the Rev. Mr. Dillon after the commission of the outrage he denounced the burning of the school in vigorous language, when some person present remarked that "the people had built the schoolhouse; it was their own to do as they liked with." This incident was mentioned by Mr. Dillon at the Presentment Sessions. No person has yet been made amenable for the outrage, though the police have a very strong suspicion as to the perpetrators.

\*MR. T. W. RUSSELL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that six cows belonging to Mr. McMahon, of Castle Farm, County Kerry, were recently mutilated; and whether he is also aware that the farm held by Mr. McMahon is the same as that occupied by the Curtin family previous to the murder of Mr. Curtin some years ago; and if, in view of the serious state of the Counties of Clare, Kerry, and Limerick, he is prepared to take any exceptional steps for the protection of life and property in those counties?



**MR. J. MORLEY :** It is a fact that three cows, the property of Mr. McMahon, were maliciously out on the night of the 8th instant; but the cuts were merely skin deep, and the cattle will not, I understand, suffer permanent injury. The farm which McMahon holds is the same as that held by the late Mr. Curtin. This outrage, however, has nothing whatever to do with his connection with the farm, nor is there any agrarian element in the case. Excepting in two bad areas, I should regard the state of the Counties of Clare, Kerry, and Limerick as not any more serious, but as less serious, at the present moment, than it was when the present Government acceded to Office, and the only steps I propose to take are to continue those I have already taken—namely, to rely on the vigilance of the police, which has been attended by a decline of agrarian crime in two out of three of the counties mentioned.

\***MR. T. W. RUSSELL :** Is it not the case that when the present Government acceded to Office Limerick had an absolutely clean bill of health, and have there not been more moonlighting outrages since then than in any previous period of the same extent?

**MR. W. REDMOND (Clare, E.) :** Certainly not.

**MR. T. W. RUSSELL :** I have the figures here.

**MR. J. MORLEY :** I have not the figures with me. But the hon. Member has given notice that he will move for an inquiry into this matter, with penal results to myself. I am quite prepared, when that Motion comes on, to discuss the matter with him.

**MR. SEXTON (Kerry, N.) :** As the right hon. Gentleman has stated that there are only two limited areas exceptionally affected, may I ask him whether those two bad areas affect the three counties, Limerick, Clare, and Kerry?

**MR. J. MORLEY :** One of the areas is defined by a radius of 10 miles round Ennis. The other area is on the other side of the Shannon, and does affect the three counties, Kerry, Limerick, and Clare.

**MR. MACARTNEY (Antrim, S.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland in how many cases orders were made under the change of venue and special juries' clauses of

"The Criminal Law and Procedure (Ireland) Act, 1889," in cases of crimes committed in the Counties of Clare, Limerick, and Kerry, from the passing of the Act down to the 22nd August, 1892; how many of the said cases proceeded to trial; and in how many of them convictions were obtained?

**MR. J. MORLEY :** In County Clare the total number of cases in which orders for change of venue and special juries were made in the period mentioned was 30. These cases, which all proceeded to trial, affected 69 accused persons, of whom 32 were convicted. In County Kerry the total number of cases in which orders for change of venue and special juries were made in the period mentioned was 44. These cases, which all proceeded to trial, affected 87 accused persons, of whom 46 were convicted. In the County and City of Limerick the total number of cases in which orders for change of venue and special juries were made in the period mentioned was 41. These cases, which all proceeded to trial, affected 65 accused persons, of whom 28 were convicted.

#### THE PROPOSED POLYTECHNIC FOR SOUTH-WEST LONDON.

**MR. WHITMORE (Chelsea) :** I beg to ask the hon. Member for Merionethshire, as a Charity Commissioner, whether he can state why the plans for the proposed polytechnic for South-West London, which were sent to the Charity Commission in December last, have not yet been approved; and whether he will take steps to prevent any further delay in dealing with this matter?

**THE PARLIAMENTARY CHARITY COMMISSIONER (Mr. T. E. ELLIS, Merionethshire) :** The plans mentioned in the question were sent to the Charity Commission, together with proposals involving material modifications of the agreement as to finance upon which the scheme for the regulation of this polytechnic was based. In the result of communications between the Commissioners and the Governors, as to the proposed modifications, it was found to be necessary that an Assistant Commissioner should confer with the Governors and report to the Commissioners. This Report was not received by the Commissioners until the end of

April, and on the 18th instant they communicated to the Governors their general approval of their proposals.

THE EAST AFRICA COMPANY AND  
RUNAWAY SLAVES.

MR. THOMAS BAYLEY (Derbyshire, Chesterfield): I beg to ask the Under Secretary of State for Foreign Affairs whether he is aware that the Imperial East Africa Company have stated, in reply to a letter addressed to them by the Rev. C. T. Wakefield, that it is illegal for any private individual within the territories over which the Company exercises sovereignty to harbour or retain runaway slaves; that missions are only in these territories on condition that they comply with this obligation; that it is legal for the police to take such action to uphold and execute the law, and in order to prevent such breaches of the peace as Mr. Ormerod's action was calculated to bring about; and that the Company justifies this view of its sovereign duties upon the instructions sent by the Marquess of Salisbury on 1st February, 1889, to Her Majesty's Consul at Zanzibar; and whether the Secretary of State for Foreign Affairs recognises this as the proper meaning of these instructions of his predecessor?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The Correspondence in question has been submitted to the Secretary of State. Her Majesty's Government are not prepared to assume responsibility for the precise language employed by the Imperial British East Africa Company; but they consider that the position of Missionary Societies in regard to runaway slaves in the territories administered by the Company is correctly laid down in the Despatch of February 1, 1889, referred to. I may add that the Despatch in question, and the Circular issued by Sir C. Euan Smith, will be found in Blue Book Africa No. 1, 1889, and that it will be seen on reference to them that the decision on this subject was taken to prevent the security of the missionaries being imperilled.

RINGSTEAD CHURCHYARD.

MR. PAUL (Edinburgh, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the facts that the churchyard of Ringstead, in Northamptonshire, was closed for burials on the 30th April last by an Order in Council, dated the 28th December, 1892; that the Parochial Sanitary Committee appointed to provide a new burial ground have not done so; and that the population of Ringstead, numbering more than 900 persons, is now without a burial ground; and what steps can be taken to remove this serious danger to the public health?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I am glad to be able to inform my hon. Friend that a site for a new burial ground has now been selected by the Sanitary Authority and approved of by the Secretary of State.

THE ESSENDON POSTMISTRESS.

MR. VICARY GIBBS (Herts, St. Albans): I beg to ask the Postmaster General, with regard to the dismissal of Agnes Craddock from the position of postmistress at Essendon, near Hatfield, whether the Inspector sent down by the Post Office Authorities reported in her favour?

THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.): I am afraid I cannot give the hon. Gentleman the information he asks for.

REFORMATORY AND INDUSTRIAL  
SCHOOL INSPECTOR'S STAFF.

MR. STUART-WORTLEY (Sheffield, Hallam): I beg to ask the First Commissioner of Works whether the removal of the staff of the Inspector of Reformatory and Industrial Schools to new and more commodious premises has yet been effected?

THE FIRST COMMISSIONER OF WORKS (Mr. SHAW LEFEVRE, Bradford, Central): Yes, Sir. The removal of the Inspector of Reformatory and Industrial Schools to new and more commodious premises in Great Scotland Yard took place in August last.

**ORDERS OF THE DAY.****SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.****FURTHER VOTE ON ACCOUNT.**

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a further sum, not exceeding £4,810,250, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March 1894, viz. :—

**CIVIL SERVICES.****CLASS I.**

	£
Surveys of the United Kingdom ...	35,000
Harbours, &c., under Board of Trade, and Lighthouses Abroad... ..	2,000
Peterhead Harbour ... ..	2,000
Rates on Government Property ...	13,000
Public Works and Buildings, Ireland	30,000
Railways, Ireland ... ..	6,000

**CLASS II.****United Kingdom and England :—**

House of Lords, Offices ... ..	7,000
House of Commons, Offices... ..	12,000
Treasury and Subordinate Departments ... ..	14,000
Home Office and Subordinate Departments ... ..	16,000
Foreign Office ... ..	15,000
Colonial Office ... ..	7,000
Privy Council Office and Subordinate Departments ... ..	3,000
Board of Trade and Subordinate Departments ... ..	35,000
Board of Agriculture ... ..	5,000
Charity Commission ... ..	6,000
Civil Service Commission ... ..	7,000
Exchequer and Audit Department ...	10,000
Friendly Societies, Registry ... ..	700
Local Government Board ... ..	28,000
Lunacy Commission ... ..	2,000
Mercantile Marine Fund, Grant in Aid	10,000
National Debt Office ... ..	2,500
Public Record Office ... ..	3,000
Public Works Loan Commission ...	1,500
Registrar General's Office ... ..	8,000
Stationery Office and Printing ... ..	90,000
Woods, Forests, &c., Office of ... ..	2,000
Works and Public Buildings, Office of	7,000
Secret Service ... ..	9,000

**Scotland :—**

Secretary for Scotland ... ..	2,000
Fishery Board ... ..	2,000
Lunacy Commission ... ..	1,000
Registrar General's Office ... ..	1,000
Board of Supervision ... ..	1,000

**Ireland :—**

Lord Lieutenant's Household ...	1,000
Chief Secretary and Subordinate Departments ... ..	5,000
Charitable Donations and Bequests Office ... ..	300
Local Government Board ... ..	12,000
Public Record Office ... ..	1,000
Public Works Office ... ..	6,000
Registrar General's Office ... ..	2,000
Valuation and Boundary Survey ...	3,000

**CLASS III.****United Kingdom and England :—**

Law Charges ... ..	20,000
Miscellaneous Legal Expenses ...	10,000
Supreme Court of Judicature ... ..	70,000
Land Registry ... ..	1,300
County Courts ... ..	6,000
Police Courts (London and Sheerness)	500
Police, England and Wales... ..	5,000
Prisons, England and the Colonies ...	75,000
Reformatory and Industrial Schools, Great Britain ... ..	70,000
Broadmoor Criminal Lunatic Asylum	4,000

**Scotland :—**

Law Charges and Courts of Law ...	20,000
Register House ... ..	6,000
Crofters Commission ... ..	1,500
Prisons, Scotland ... ..	15,000

**Ireland :—**

Law Charges and Criminal Prosecutions ... ..	12,000
Supreme Court of Judicature, and other Legal Departments ... ..	15,000
Land Commission ... ..	12,000
County Court Officers, &c. ... ..	15,000
Dublin Metropolitan Police, &c. ...	10,000
Constabulary ... ..	250,000
Prisons, Ireland ... ..	20,000
Reformatory and Industrial Schools...	25,000
Dundrum Criminal Lunatic Asylum...	1,000

**CLASS IV.****United Kingdom and England :—**

Public Education, England and Wales	1,300,000
Science and Art Department, United Kingdom ... ..	100,000
British Museum ... ..	37,000
National Gallery ... ..	4,000
National Portrait Gallery ... ..	500
Scientific Investigations, &c., United Kingdom ... ..	4,500
Universities and Colleges, Great Britain... ..	20,000

**Scotland :—**

Public Education ... ..	250,000
National Gallery ... ..	1,000

**Ireland :—**

Public Education ... ..	300,000
Endowed Schools Commissioners ...	150
National Gallery ... ..	500
Queen's Colleges ... ..	1 500

CLASS V.		£
Diplomatic Services and Consular Services ... ..	...	100,000
Slave Trade Services ... ..	...	200
Colonial Services, including South Africa ... ..	...	20,000
Subsidies to Telegraph Companies, &c. ... ..	...	14,000

CLASS VI.		
Superannuation and Retired Allowances ... ..	...	100,000
Merchant Seamen's Fund Pensions, &c. ... ..	...	2,500
Savings Banks and Friendly Societies Deficiency ... ..	...	—
Miscellaneous Charitable and other Allowances, Great Britain ... ..	...	600
Pauper Lunatics, Ireland ... ..	...	40,000
Hospitals and Charities, Ireland ..	...	5,000

CLASS VII.		
Temporary Commissions ... ..	...	8,000
Miscellaneous Expenses ... ..	...	1,500
Pleuro-Pneumonia... ..	...	20,000
Highlands and Islands of Scotland ... ..	...	5,000
Chicago Exhibition, 1893 ... ..	...	4,000
Total for Civil Services		£3,430,250

REVENUE DEPARTMENTS.		
Customs ... ..	...	40,000
Inland Revenue ... ..	...	60,000
Post Office ... ..	...	650,000
Post Office Packet Service ... ..	...	180,000
Post Office Telegraphs ... ..	...	450,000
Total for Revenue Departments		£1,380,000

Grand Total ... £4,810,250

MR. JEFFREYS (Hants, Basingstoke) said, he wished to call attention to the Report on the Ordnance Survey which was made last year by the Departmental Committee appointed by the Board of Agriculture. He desired to know what had been done in the direction of carrying out of recommendations made by the Committee? Two great defects had been pointed out. In the first place, the Indices were remarkably bad, and the result was that there was great difficulty in picking out any particular map. The Departmental Committee had reported that a great improvement might be effected in this respect if a uniform style of heading were adopted, as at present there were two or three kinds of headings to various maps. Then, again, the Departmental Committee recommended that coloured maps should be allowed to be printed. At present maps in black and white only were issued, but it had been found that coloured maps were necessary

in many parts of the country; and surely if the Government could not issue them some of the great map makers might be allowed to. He would be glad to know what was to be done in that matter. There was another recommendation of considerable importance to people in the country, and that was as to the classification of the roads. All the roads on the Ordnance maps were marked in exactly the same way; there was nothing to show the difference between a hard road and a mere green lane, and anyone driving might, if they depended solely on the map, easily find themselves leaving a metalled road for a green track. The Committee recommended that all roads classified as first or second class should be of such a nature as that the public were certain of having free access over them. There was great danger, when private roads were marked on the Ordnance map, of people being led to trespass upon them, thereby causing great inconvenience both to themselves and to the owners. There was a still more important question as to the footpaths. It was a useful and necessary thing that footpaths should be marked on the maps; but what occasionally happened was that cattle tracks were marked as foot-paths. He maintained that when the maps were revised these errors should be rectified, and only real footpaths be indicated. Temporary tracks, such as those made by shepherds going to their folds, ought certainly not to be shown. Finally, he wished to know when the maps were going to be revised, and did the Government intend to advance sufficient money to carry out the revision? Bearing in mind the changes constantly occurring, he thought there should be a regular system of revision.

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): I wish to appeal to my hon. Friend not to press the matter further in the absence of the right hon. Gentleman the President of the Board of Agriculture. As this is the first Vote in Supply, a more appropriate time for discussing it will be when the Estimates are taken.

\*MR. CHAPLIN (Lincolnshire, Sleaford): I quite agree with the right hon. Gentleman opposite that it is inconvenient to discuss this subject in the

absence of the right hon. Gentleman the Minister of Agriculture; but, at the same time, it is only right that the House should be informed when hon. Members will have an opportunity of raising the question. When is it proposed to take the Vote which provides for the Ordnance Survey? This is a very important matter, for I know from personal experience at the Board of Agriculture it is absolutely essential as a matter of economy that effective steps should be taken during the present Session to carry out the recommendations of the Committee. I am aware that some addition has been made to the Estimates for the present year; but it is not nearly sufficient to enable the carrying out of even the smaller of the two principal recommendations of the Committee. The first of those recommendations is that the revision of the maps on the one-inch scale shall be proceeded with at a cost of £5,000, or, if the Highlands are included, at a cost of £7,000. But the second and much more important recommendation is that the revision of the maps on the larger scale shall be carried out at a cost of some £500,000 or £600,000, the expenditure of which is to be spread over 10 years. For instance, it is suggested that £16,000 shall be spent this year and £37,000 next year, and that year by year the sum shall be increased until the Ordnance Survey had been placed on a satisfactory footing. I need not press on the Committee the great importance of this matter. It has occupied a great deal of time and attention in past days, and it now requires to be dealt with without delay even on the ground of economy, as the longer it is put off the greater will be the expense in the future. The work must be undertaken sooner or later, and it cannot be abandoned, as that would involve practically the throwing away of the immense sums of money already expended on it. Even if it were postponed for any considerable time, it would become necessary to have a new Survey altogether. I wish now to ask two questions—When shall we have an opportunity of discussing this question in the full manner it deserves; and has any provision been made for carrying out the recommendations of the Departmental Committee? If the discussion is to be postponed any consider-

able length of time we shall do our best to bring it on now.

\*MR. MATHER (Lancashire, S.E., Gorton) said, he had to appeal to the hon. Gentleman opposite not to press his question during the absence of the hon. Baronet the Member for the Tewkesbury Division of Gloucestershire, who was Chairman of the Departmental Committee, and who had written expressing regret that he could not be in his place, and who desired that the discussion should be taken when the Vote came on in the ordinary course. The other Members of the Committee (his hon. Friend the Member for Eccles and himself) were anxious to have a full and exhaustive discussion on the subject when the regular Vote for the Ordnance Survey Department was reached.

MR. COURTNEY (Cornwall, Bodmin) said, he was reluctant to interpose in that discussion, but he felt that attention ought to be directed to a peculiarity connected with the Vote on Account which should have priority over other considerations. It had a bearing on the question raised by the right hon. Gentleman the Member for the Sleaford Division of Lincolnshire, and it was important that the House should know when the discussion upon this subject would be resumed. The present Vote on Account was asked for for two months. That, he ventured to assert, was unprecedented, and he could not at that moment call to mind any occasion on which the second Vote on Account had been for so long a period. The first Vote on Account was always given for two months, but the second Vote on Account was ordinarily given for one month; and if this Vote was agreed to, it would relieve the Government from the control of the House at large in the matter of Supply for two months instead of one. This would give the Government a degree of freedom which Governments had not usually had accorded to them, and he suggested to Members on both sides of the House that the Vote should not be agreed to without full knowledge and full understanding of what it implied. The late Government once proposed the second Vote on Account for two months; but so strong was the objection of the then Opposition that the Leader of the House, the late

Mr. Smith, withdrew the proposal, and substituted one month instead. For his part, he saw no reason why they should now depart from what was the ordinary precedent, and from what had been deliberately confirmed; and he therefore earnestly pressed upon the Leader of the House and the Members of the Government that they should recognise the responsibility of their position, and substitute a request of one month for two. He apologised to the Committee for having intruded in this way, but he thought it was a matter of considerable gravity which deserved attention.

SIR J. GORST (Cambridge University): I was not aware that this question was going to be raised, and it shows the inconvenience of the Vote on Account not having been laid on the Table until hon. Members have left for their holidays. An attempt was made by the late Government to obtain a Vote for two months at this period of the year, and I think it was very properly objected to by hon. Gentlemen now occupying the Government Bench on the ground that it was asking the House to abdicate one of its most important functions. So strong were the representations made that the then Leader of the House thought it right to yield, although he was at that time in possession of a mechanical majority, with which he could have forced it through the House. He, however, thought that the arguments were so strong and the case made out so good that he yielded to the representations which were made most properly and patriotically by the Opposition. I think that, under these circumstances, the Government should at least explain to the House why it is now necessary to deviate not only from the usual practice of the Committee, but from their own representations and arguments made use of two years ago. I hope the Chancellor of the Exchequer will be good enough to repeat to the Committee the arguments which he then used as to the propriety of the suggestion made by my right hon. Friend.

SIR J. T. HIBBERT: The reason why the Estimate was not issued until after we had separated for the Whitsuntide holidays was because it was impossible to issue the Estimate until we knew how many Votes we should obtain in Supply. We were in Supply on the Friday when the House adjourned up to

half-past 5, and it was quite impossible then to issue any notice with respect to the Estimates, but they were issued, I believe, on the following day. Therefore, due notice was given to hon. Members, although we knew many were absent from town. My right hon. Friend the Member for Bodmin was not quite correct in saying that the late Government did not take their Vote on Account for two months. I have a Return here showing that the second Votes have generally been taken for two months. In 1886-7 provision was made for only one, and in 1887-8 for six weeks, but after 1886-7 provision has always been made for two months. We have followed the precedent in taking the Vote for two months. I do not think we deserve the blame which my right hon. Friend threw upon the Government for not having made a proposal for a shorter period.

MR. JEFFREYS (Hants, Basingstoke) said, that as they did not know what might happen by the end of two months, he had thought that this was the only opportunity he might have of raising the question at all, and that must be his excuse for having intervened. As the Minister for Agriculture was now in his place, he would repeat the questions he had previously asked, as to the recommendations of the Commission with regard to maps, and as to delineating different kinds of roads and footpaths.

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden): I am sorry that I had no notice that this subject was to be brought forward. I fully admit the importance of the discussion, but would add my voice to the appeal which has been made for its postponement until the hon. Member for the Stroud Division of Gloucestershire, who was the Chairman of the Committee, is in his place. The Committee was only appointed last year, and I do not think it possible for the Report to be more exhaustive or more thorough. A certain sum of money has been voted for the purpose, and the Treasury have sanctioned the employment of an additional number of engineers in order to carry out the recommendations of the Committee. The other matter referred to requires very serious financial consideration, inasmuch

as it involves a total expenditure of something like £600,000.

\*MR. CHAPLIN: The sum named in the Report for expenditure on revision this year is £16,000.

MR. GARDNER: It would be wrong for us to spend £16,000 this year unless we were certain that we should be able to complete the scheme and obtain the entire sum which the Committee said would be necessary. All the points which have been raised are of great importance, and are at the present moment under consideration; but I hope it will be seen that, in the absence of Members of the Committee, the matter cannot at this time be discussed so well as on a future occasion. An opportunity for full consideration will be afforded on the first Vote which is reached in Committee of Supply.

SIR W. HARCOURT: We have had very positive didactic statements from two ex-Secretaries to the Treasury, and my right hon. Friend is in the habit of delivering lectures to the Representatives of the Treasury—especially to the Chancellor of the Exchequer—on our submission to the dictation of the Treasury. One condition of this criticism should be that ex-Secretaries of the Treasury should have some knowledge of what has taken place at the Treasury; but unhappily that knowledge is entirely wanting, both in the case of my right hon. Friend and in the case of the right hon. Gentleman opposite. The right hon. Gentleman opposite developed from his inner consciousness a theory of what took place in 1891, when a patriotic Opposition resisted an unpatriotic Government who demanded a Vote on Account for two months, and the Government of the day repented of their crimes, acknowledged their sins, and reduced the Vote to one month; and the right hon. Gentleman behind me lectured us for our extraordinary conduct in bringing forward a Vote for two months—a thing which, he said, had been condemned, and which had never been done before of late years. The facts are exactly the opposite of those stated by the two right hon. Gentlemen. In 1891 a patriotic Opposition complained of the conduct of the Government in proposing a Vote for two months; but, so far from yielding to the complaints of the Opposition, the

Government used their mechanical majority. I believe all majorities are “mechanical”—at least they are always called so—but why a majority is more mechanical than a minority I do not know, although I observe that during the Recess the minority have been ordered to be a great deal more mechanical. On the occasion referred to the then Secretary to the Treasury, the Member for Leeds (Mr. W. L. Jackson), when invited to point to any precedent for taking at the end of June a Vote on Account for two months, stated that the second Vote on Account had for 15 years been taken to two months at the end of May. This is the Secretary to the Treasury who lectures the Treasury night after night. A proposal made by the hon. Member for Northampton to reduce the Vote to one month was rejected by 119 to 61. I hope these facts will be a lesson to the House to take with a grain of salt the Treasury doctrines of the right hon. Member for the Bodmin Division of Cornwall.

SIR J. GORST: Will the right hon. Gentleman say from what book he has quoted?

SIR W. HARCOURT: A book called *Hansard*.

MR. BARTLEY (Islington, N.) said, it must be remembered that this was a totally different year from the whole of the 16 preceding, because in none of those 16 years had the Government taken the whole time of the House as early as they had done this year. If the Government would set aside a week or a fortnight for Supply, the Opposition would allow the present Vote to be obtained at once; but they had before them at least two months on the Home Rule Bill; they were to sit from day to day, so that that Bill would take them to the end of July, and they were therefore asked to vote two months' Supply without having any opportunity of considering the Estimates in detail. He also protested at the Vote on Account having been put down at the last moment, so as to allow no opportunity for putting down Amendments. He therefore thought they ought to move the Adjournment of the Debate. He would ask the Chancellor of the Exchequer at what period he proposed to put down Effective Supply—June or July?

*Mr. H. Gardner*

MR. COURTNEY thought the Committee would not regret his rash intervention after having heard the amusing speech of the Chancellor of the Exchequer. On the evidence submitted he must confess that he was in error in supposing that a second Vote on Account had been uniformly restricted to one month, although he was very clear about the circumstances of the late Government having reduced the period of a Vote on Account in consequence of the remonstrance made by hon. Members of the Opposition. He was a little flattered by the apparent attention and effect which had been produced by his didactic manner in the past, and he supposed it had not always been so entirely in vain as it had that day. If they took Votes on Account for two months, they practically relieved the Administration from the criticism and control of the House of Commons, which ought to be most jealously guarded.

MR. A. C. MORTON (Peterborough) said, he gathered from this discussion that all Governments were equally bad in this matter. They all tried to avoid discussion on the Estimates, and were particularly anxious to spend the money before the House of Commons had had an opportunity of considering the expenditure. With regard to the matter of the Ordnance Survey and the question of footpaths, he would ask that the officers responsible should be instructed not to agree to the hon. Member's suggestions that footpaths should not be shown on the map.

MR. JEFFREYS (interposing) said, what he said was that sheep-tracks ought not to be put down as footpaths, but that footpaths ought to be carefully marked.

MR. A. C. MORTON said, if it came to that, then the officers must hold a Court of Inquiry, and decide what were footpaths. If they did, it would save many people from going to the Courts of Law. He was afraid this was a suggestion in the interests of the landowners, who were always endeavouring to close these footpaths. If the footpaths were not marked, then they could bring these Ordnance maps into Court and say there never had been a footpath in the particular place. The Ordnance maps were very useful in deciding where there were footpaths, and he protested against

these officers being instructed to keep anything off the maps. It very often happened that what were called sheep-tracks were really footpaths, and he hoped the Government would give instructions that the officers preparing the maps should show all the footpaths.

\*MR. CHAPLIN: It is perfectly obvious we shall have no other opportunity of discussing this question, as I gather from the answers that have been given, for many months; and up to now we have failed to elicit any information whatever from the Government as to what they are going to do, except with regard to the first recommendation, and the smaller one, that is contained in the Report of the Committee. That being so, although I am very sorry to do it on this occasion, I really must press the question this afternoon, because a delay of months on this question would be fatal to its being dealt with during the present year, and I can submit most excellent reasons why that course ought to be adopted. I put the question to the President of the Board of Agriculture, and asked him whether they could not tell us, at all events, that they would go on with the work during the present year with regard to the maps on the larger scale; and he said it was impossible to say now that it was a large question and ought to be carefully considered, and that he could not give me any answer on this occasion. Why cannot he give me any answer? When was this Departmental Report published? I find it was published on the 31st December of last year. But surely it has been the duty of the Government to be considering that question from then until now; and if, from the 31st December of last year to the end of May of the present year, they cannot make up their minds as to what they are going to do with regard to the Report of the Committee, I should like to know how long a period they will take to go successfully through that operation. The first excuse that was made was that the Minister for Agriculture was not present, an excuse which happily has been removed, and now I shall have no hesitation on this ground in entering upon this question; and as to the absence of my hon. Friend the hon. Baronet who was Chairman of this Committee (Sir John Dorington), I am quite certain, although no one knows



more than he does of this question—and both he and his Colleagues deserve the thanks of the House and the country for the admirable and painstaking and most careful Report they have made on this subject—I am sure no one will be more pleased than the hon. Baronet himself, even although he is unfortunately absent this afternoon, if we can succeed in eliciting some definite statement from the Government in regard to this question. The Committee will, perhaps, recollect what was the origin of this Departmental Committee. My hon. Friend the Member for the Eccles Division made a Motion, which passed the House of Commons, I think, on the first night of last Session, by which it was agreed that a Select Committee should be appointed to examine into this question. I stated to my hon. Friend that, in many respects, I thought it was more desirable that this question should be examined into by gentlemen who were experts, and could be appointed upon a Departmental Committee; and he readily agreed to that suggestion, subject to the understanding—a pledge that I individually gave him—that the Report of that Departmental Committee should be laid upon this Table. The contention which has been held by many people with regard to the unsatisfactory position of the Ordnance Survey is, I think, more than fully borne out by the Report of the Committee. What is that position? I hope the Committee will not think I am unduly delaying them on this occasion, because this is really a matter of great importance, which has occupied public attention for several years. In order to understand the position, I think the Committee ought to be made aware of the work which is being done by the Ordnance Survey Department at present. In the first place, they are making town surveys on the scale of 126 inches to the mile. In the second place, they are making a Cadastral Survey of all cultivated land in the Kingdom on the scale of 25 inches to the mile. In the third place, they are making county maps on a scale of six inches to the mile. In the fourth place, they are making maps on a scale of one inch to the mile of all farms, one in outline with contours, and the other with hill shading. Fifthly, there is an advance edition of unengraved portions of the one-inch map, published by photo-

zincography. Sixthly, there are maps of four inches to the mile. Seventhly, there are maps of 10 inches to the mile. I am bound to say that more beautiful work than has been accomplished and turned out by this Department I do not think can be found in any country in the world. But it has naturally cost the country an enormous sum of money. I am not aware of the total sum that has been expended up to the present time; but do know that in the last 10 years no less than £2,300,000 has been spent by the country upon this work. In support of the statement which I make, that no country in the world can produce better work than this, I should like to call the attention of the Committee to a statement which they will find on page 11 of this Report—

“No country at the present time possesses anything as perfect and complete as our Cadastral Survey published by the authority of the Government, and available at a moderate price to every person in the Kingdom, showing every plot of land and every isolated building, and having the new one-inch map founded upon it by the accurate copying power of the photographic lens.”

The great blot upon that work is this. In the first place, there is a great delay in the completion of the maps when the Survey is first made, and the second and worst feature of all in the present position of the Ordnance Survey Department is this: there is no complete system of revision provided for, and if revision is not carried out within a certain time after the maps have first been made a great part of that work naturally and necessarily becomes obsolete, and the advantage of that work to the public and of the money that has been spent upon it is practically thrown away altogether. I remember during last year and the year before there were great numbers of articles in the public Press which appeared constantly upon this subject, and more particularly in *The Times*, in which there were some most able articles; and public bodies and deputations were constantly waiting upon the Agricultural Department, and Memorials were presented pressing the urgency and importance of the work, and their complaints are more than justified by the Report which is now laid upon the Table of the House of Commons. I should like to call the attention of the Committee to a paragraph

upon page 37, where they will find these words—

"The great necessities of the Survey are obviously completion and early revision, and with these necessities not even any suggested improvements should be allowed to interfere."

They point out two things : that in the case of the large maps, which are most expensive of all, timely revision is of greater importance even than in the case of small ones ; and, in the second place, the longer that revision is postponed the more costly it will be to the country in the long run. On the first point they say this—and I am sure the Committee will see the importance of it—

"We find that while the large-scale maps are excellent in quality and fully meet the purposes for which they were designed, the very largeness of the scales necessarily leads to their rapidly getting out of date."

And they go on to say—

"This defect is most apparent in the 25·344-inch plans surveyed since 1854, and still more so in the town plans on the scale of 5 feet, 10 feet, and 10·56 feet to the mile. Scarcely any of them have been revised."

I ask the Committee to consider what that means. Scarcely any of these maps have been revised, and that means that if the date of revision is postponed much longer they will become practically obsolete, and the whole sum of money spent on these large maps will be absolutely thrown away, and all the work will have to be gone over again. The Committee say—

"It is urgently necessary that the advantage of so splendid a work as these maps of Great Britain and Ireland undoubtedly are should not be destroyed for want of a regular system of revision."

On the second point—namely, the increased cost of delay, nothing can be more emphatic than what is pointed out on page 11. They say—

"It has been shown in a previous paragraph that some of the 25-inch plans date from 1855, and have not been revised since. We have received evidence of the great cost entailed if the plans of the Ordnance Survey are allowed to remain for too long a period without revision, necessitating, in some cases, almost re-survey. It is evident that the revision of the 25-inch survey should be commenced without delay. We have the evidence of the Director General that if the revision of Great Britain is begun next year, it can be completed in 10 years at an extra expenditure of £630,000."

Then comes this very important statement following upon that—

"And that a delay of even a year will materially increase the cost."

Now, Sir, for the purpose of this very material and important work what is the sum that the Director General estimates is necessary for the next year ?—

"The sum required for next year (1893-4) is £16,000, and we strongly recommend that this sum be provided"

Surely, that is not a very large demand to make, and I have felt it my duty to press this question this afternoon in the absence of any definite reply whatever from the Government ; because I cannot help thinking that, unless we do press it and get an answer this afternoon, that £16,000 will not be forthcoming, and consequently a very much heavier burden, in the words of the Director General, will inevitably be laid upon the country in the future. That is the present position of affairs in regard to this matter. It is pointed out that, owing to the want of proper revision, a great deal of the work of the Survey is becoming more and more obsolete every day, a large part of the expenditure has already been thrown away and wasted, and the advantage of much of the work has been lost, and is daily being lost, to the public. That being so, we have the proposals of that Committee which is to remedy this state of things, and I am most anxious to ascertain what it is the Government really propose to do to carry out those recommendations. The President of the Board of Agriculture was good enough to tell us, with regard to the recommendation as to the maps on the one-inch scale, that many had been provided, and that he was in possession of the sum necessary to carry out this work. Upon this part of the recommendations I want some further explanation, because in the Estimates of the Surveys of the United Kingdom I find the whole increase is only £1,600. According to the estimate of the Director General contained in the Report of this Committee, the sum required for the purpose, if it is to include the Highlands, is £7,000.

MR. GARDNER (interposing) said, the Treasury had sanctioned a sum of £2,000 spread over savings in other Estimates, and also the addition of a number of engineers at an annual cost of £5,000.

\*MR. CHAPLIN: I am glad to find that, so far as that part of the recommendation is concerned, the reply is satisfactory, and that we may look forward to the completion of this work. Now, I have to press him on the other point—namely, the provision of the additional £1,600, in order to start the work of providing for the revision of the maps upon the larger scale. I have already pointed out that if they are begun this year all the necessary provisions for the complete revision of the maps on the larger scale can be completed in the course of 10 years for £630,000. Then you have the evidence of the Director General, and the statement of the opinion of the Members of that Committee, that if the work is postponed even for a single year the cost must inevitably be very materially increased. I should have thought, under these circumstances, that when my right hon. Friend the Chancellor of the Exchequer had the case officially put before him, even on the ground of economy, he would see he was doing the most wise and prudent thing in sanctioning this comparatively very small expenditure in the present year. The work, sooner or later, is absolutely necessary. It cannot possibly be abandoned unless you mean to throw away all the advantage of these enormous sums of money that have been spent already on the work. The postponement of it for a single year can only add to your ultimate cost; and whether it be a Government composed of right hon. Gentlemen sitting on that Bench, or composed of those who have been and are their opponents, I am perfectly satisfied myself that a sum of money such as that I have named—namely, £16,000, could not possibly be better laid out than by providing it for starting this great work in the present year.

SIR WILLIAM HARCOURT: The right hon. Gentleman has made a very interesting speech on a very important subject; but the moral of his speech, as I understand, is that this £16,000 must be provided. Well, I am sorry to say I cannot afford a Supplementary Estimate of £16,000 for this further cost, however necessary it may be; and it will be my duty—and a painful duty it will be—to resist every proposal coming either from this Bench—and more, perhaps, from this Bench

than from that, for a Supplementary Estimate on any subject, and I must appeal to the rank and file of the House of Commons to defend the Chancellor of the Exchequer against demands for Supplemental Estimates from this side of the House, and especially from his Colleagues, because I am subject to that pressure every day, and I am quite certain nothing would delight the President of the Board of Agriculture more than to have this £16,000. But he knows perfectly well I am not in a position to grant it. While I entirely admit that this is a subject which might properly occupy the attention of the Government, and might well be carried out when there is an abundance of money for the purpose, I am sorry to say that the present state of finances will not permit of it. My right hon. Friend opposite is a man of great ideas, and he rolled off his tongue the sum of £630,000 as if it was nothing. He said we must begin at once, or, if not, we should have to spend a good deal more than £630,000. He says if we do not begin this year it will cost us a great deal more the year after. He does not say how much more. I am very sure we shall have the same experience as most of us have had before, of our friends coming to us and saying—"If you do not lay this out now you will have to lay out a great deal more hereafter." On the same principle people go to bazaars and other places and buy things they think hereafter will be useful; but to induce you to spend money when you have not got it with a view to saving it hereafter is, in my opinion, not a wise principle. We do not disparage the object, but, on the contrary, are anxious to see this great undertaking carried on in the manner in which it has been carried on in the past—most satisfactorily. My right hon. Friend says—"You will need constant revision." That, of course, is very true as to the large maps; but these large-scale maps are not the maps which are used by the greatest number. They are principally useful to land surveyors and owners of land, and the large town maps are principally useful to Town Councils, &c. Still, I do not desire that this work should be in any way postponed; but if what my right hon. Friend desires is a Supplemental Estimate this year for the Survey,

all I can say is, I am very sorry we cannot afford it, and I shall have to oppose any proposal of that kind.

Mr. R. G. WEBSTER (St. Pancras, E.) said, this question was one which was apparently of some importance to the country, because last Session they had an important Departmental Committee to consider the question in all its bearings. That Departmental Committee, having considered the question with great care, made some valuable recommendations from various points of view. The Committee sat no fewer than 18 times; they carefully examined the witnesses, and afterwards drew up an important and exhaustive Report. They had no knowledge of what might occur during the next two months, when they might not have an opportunity of looking into this or any other question; and, therefore, it was necessary that they should discuss the matter now. Speaking as a town Member, he urged that it was very desirable, for the purposes of the County Councils and Local Governing Bodies in London and elsewhere, that they should have a good, thorough, and up-to-date survey of the various towns in the United Kingdom; and the great fault the Committee found with the surveys, especially the 25-inch surveys, was that they were always out of date. It took such a long time to complete the survey, that when they finished in one part of the country, practically the survey was altogether out of date in another part of the country. Among other recommendations of the Committee was one that there should be a descriptive handbook published respecting the signs on these maps; but the object aimed at would probably be better carried out by not having a descriptive handbook, but where practicable, at the foot of each map, a description of the signs on that map. The Chancellor of the Exchequer said the large survey was of no value, except to a very limited class of individuals. Was it not one of the objects of right hon. Gentlemen opposite to simplify the transfer of land in the United Kingdom; and was there any better way of attaining that object than by having adequate maps of the whole of the land in the United Kingdom, by which the buyer and seller could see the property in which they were interested? He did not see how there could be any objection

to having these maps prepared with greater celerity. He recommended that steps should be taken to secure that maps of every part of the United Kingdom should be easily purchasable in London. The right hon. Gentleman the Member for the Sleaford Division of Lincolnshire (Mr. Chaplin) had referred to the fact that the maps were well made, and undoubtedly worthy of the country. That might be as to the larger maps, but he would point out, with regard to the smaller maps, that they were not nearly so accurate nor so useful for general purposes as the maps used in Continental countries—as, for example, in France and Germany—and he would urge upon the Government that the latter class of maps ought to be procured. It was for the Government to set the standard in the matter of maps. At the present time the teaching of geography was not satisfactory, since it was conducted without any first-class physical map of the United Kingdom. He also hoped that a change would be made in appointing the heads of the Survey Department, as the existing system of giving promotion to various distinguished officers of Engineers was not to the advantage of the Survey. The consequence of the system was that many of the heads of the Department were changed, and a Survey conducted in this manner could not be as efficient as it ought to be, and he would even say that they could see the difference in the work if they examined the present maps and compared their indications of mountains and rivers with those of earlier maps of the Survey. This might not be a burning question at the present time, but he would nevertheless urge it upon the right hon. Gentleman on the Treasury Bench, whom he would remind that, although the Chancellor of the Exchequer had pointed out that they had not such a good Budget as last year, they were asked to provide £35,000 towards this Survey. He thought they should see that the maps had all clear representation of physical features of the country and that they should be properly shaded. He thought also that the other portions of the improvements suggested by the Committee should be carried out. He had not the honour to be a Member of that Committee, but, no doubt, if this question came up again at a later period

of the Session, hon. Gentlemen who were Members would be able to place their views before them. In the meantime, he hoped the Government would provide proper maps, and that they would also provide that the series should be out in a reasonable time, so that the later one might not be altogether new, while the earlier ones were absolutely old. Right hon. Gentlemen opposite might also say, he thought, whether they could not issue the popular maps of the same class as in foreign countries.

\***MR. J. G. WEIR** (Ross and Cromarty) said, he would only trouble the Committee for a moment, to say a word with regard to the footpaths and roads in the Highlands of Scotland.

\***MR. GIBSON BOWLES** (Lynn Regis) said, he rose to Order. He had a reduction to move regarding lighthouses, and he wanted to know whether this discussion would affect his proposed action?

\***MR. WEIR** said, this was a very important matter affecting the Highlands of Scotland; and if the hon. Gentleman the Member for King's Lynn understood the question he would not try to prevent him (Mr. Weir) saying a few words on the subject to which he referred. He feared the hon. Member (Mr. Bowles) had not read the Report of the Agricultural Committee, and consequently was quite unacquainted with the question of roads and footpaths in the Highlands and Islands of Scotland. He wished to call attention to the fact that there were many old roads in Scotland which were now covered over with heather as a consequence of the clearances of the people by the Highland landlords for the purpose of creating deer-forests. It was a sad state of matters when macadamised roads, as shown by the Report, were overgrown with heather and almost undistinguishable. The people had been evicted from their homes, and the roads and footpaths had been enclosed by the robber landlords of the North. He desired that these and other old roads and footpaths should be shown on the maps, so that the people might know where they were. Many of these roads were closed by the landlords, and it was only right that the Government should do all they could to have them shown or indexed on any revision that might be made of the maps of this part of the country.

*Mr. R. G. Webster*

**MR. TANKERVILLE CHAMBERLAYNE** (Southampton) said, they had heard a good deal that afternoon about maps and survey, and he should now like to say something about what he submitted was at least of equal importance. He desired to call attention to a grievance of which he thought *employés* in the Ordnance Survey Department very justly complained. He believed there were many people—he was not referring to hon. Members of that House, as they were, of course, well informed on every subject; but he was referring to people in the country—who knew as much about the work done by the Ordnance Survey as they did about the duties of an Archdeacon. Well, he could tell those people that the Ordnance Survey work was in the highest degree valuable, useful, and scientific; and that special, or, he might say, unique, qualifications were necessary to enable the *employés* satisfactorily to perform this work. There were in the Department what were called Civil Assistants. These were divided into two classes—the Permanent Civil Assistants and the Temporary Civil Assistants. They resembled each other in every particular save one; the rank was the same, the qualifications were the same, the remuneration was the same; they were taken on at the same age—some mere lads, and they were retired at the same age, 60; but there was this all-important difference: that the so-called Permanent Civil Assistants received a retiring pension, whilst the so-called Temporary Civil Assistants were retired without one. There was one rather curious circumstance in connection with this arrangement. The Permanent men—that was, the class entitled to pensions—were being gradually reduced in numbers, and the Temporary—the class not entitled to pensions—was being as gradually, or rather more rapidly, increased in numbers. Figures would prove the truth of this: In 1878 there were in the Department 578 Civil Assistants entitled to pensions and 349 not so entitled; and in 1891 there were 321 entitled to pensions and 1,200 not so entitled. Now, he did not want for a moment to ascribe this arrangement to a desire to evade the liability to grant pensions. He had no doubt that the right hon. Gentleman the President of

the Board of Agriculture would presently tell them it was due to a more honourable and generous motive, but they would not be surprised if an impression prevailed somewhat extensively that it was due to some cheese-paring influence. This, he took it, was certain—that if such a system were in vogue in connection with any private firm or public company, many of them would feel disposed to call it a dodge to save the pension money. And such a state of things involved a peculiar hardship so far as the Ordnance Survey servants were concerned. Their work, as he said just now, was *sui generis*. The qualifications for it, and the experience gained at it, are alike useless when, after devoting the best years of his life to it, a man was compelled to seek employment elsewhere. He was suddenly transferred from a position of competency and comfort to what, in many cases, was one bordering on destitution. He himself had had piteous appeals from persons so situated, and he confessed to a feeling of something like indignation when he found that men who had served the Crown long and faithfully were turned adrift in what seemed to him to be a heartless and ungenerous manner. He hoped it would not be said, in reply, that these men ought to save up while in work, and so provide for the requirements of old age. This would be adding insult to injury, for the remuneration was not sufficient, and in many cases the men were married and had families. Again, it must not be forgotten that the same restrictions applicable to other Civil Service servants were imposed on those men—for instance, they were not allowed to keep a shop or carry on any business during their spare time. This arrangement might be fair enough with those who were provided for by the State in their old age, but it was exceedingly hard on these men who were thus deprived of their only chance of saving a few pounds. Neither, he hoped, should he be told that there was no hardship, inasmuch as the men belonging to this class knew from the first that they would not be entitled to a pension eventually. First, if this were said the country would learn that Her Majesty's Government offered work to men on condition that they would not ask for or expect pensions; and, secondly, it would not be strictly

true, as these Temporary Civil Assistants had been told, that some of them would be added to the Pension List, and, though it might be a case of many called and few chosen, yet it was human nature for every man to think he might be one of the lucky ones, and so take his chance. There was a Departmental Committee appointed under the late Government to consider various matters with regard to the Ordnance Survey. It consisted of Colonel Leach, Permanent Secretary to the Board of Agriculture; Mr. Primrose, from the Board of Works; and a gentleman from the Treasury; and a deputation of the Civil Assistants waited on this Committee, and were distinctly told by Colonel Leach—

“That it was probable a certain number of the men with the longest service would be put on the Government List.”

This he (Mr. Chamberlayne) maintained was a direct inducement for the men to accept work. Also, in the Report issued by this Committee on page 14 it was stated—

“The question of superannuation is not one of the points referred to us for consideration, but several protests were made by the witnesses against its exclusion, and we think it right to draw attention to the fact that this question is obviously the one considered of most importance by the Temporary Civil Assistants. In 1891 there were approximately 300 Civil Assistants and 1,350 Temporary Civil Assistants. The former are gradually diminishing in numbers, and, under the present rules, will eventually disappear.”

Now, perhaps the Government might say in self-defence that herein was no hardship—a certain class of workmen had been abolished and another constituted—but he submitted that would be an evasion and not a fair explanation. Really the same class still existed, the difference being that whereas formerly pensions were granted after the qualifying period of service, now and from henceforth no pensions would be given. The Report went on to say—

“As the Survey will require continuous revision and re-publication, it will have to be maintained as a Permanent Department, and in these circumstances it may be expected that, sooner or later, the question of superannuation must arise in respect of these Civil Assistants who may be employed in a permanent capacity.”

There was a certain ambiguity about these words “permanent capacity,” but he submitted that a man who had

worked for the same employer from his youth till he had reached the age of 60 was entitled to call himself a "permanent employé." Well, what these men respectfully asked was that the words "Permanent and Temporary" might be obliterated and expunged, and that there should be one class of Civil Assistants, the members of which should be entitled to a pension on retirement. He did not think he should appeal on their behalf in vain, because the Members of Her Majesty's Government had often expressed themselves as favourably disposed towards this question of pensions for aged working men; and the Prime Minister (Mr. W. E. Gladstone) had more than once spoken in approval of it. He was sure that the attitude taken up by right hon. and hon. Gentlemen opposite with regard to this matter, before and after the last Election—chiefly, by-the-bye, before—gave considerable satisfaction in the country, and all eyes were now turned towards the Government to see if their action would justify their words. He thought more reliance would be placed on their protestations, and more faith in their promises, if they would themselves set a good example and treat their own *employés* fairly and generously.

Mr. FRANCIS H. EVANS (Southampton) said, his experience was that these sympathetic appeals to the Chancellor of the Exchequer never brought much money out of his pocket. He had taken a great interest in the question raised by his Colleague in the representation of Southampton. These men were placed in the Survey in 1871—only to be temporary hands, he believed; but as the work grew heavier, and the demands on the Survey increased in importance, it was found necessary to place them on the permanent staff. They were led to believe that as time went on pensions would be granted; and a deputation waited on the Departmental Committee the delegates pointing out the claims that the men had upon the Government. The then Chairman of the Committee admitted the justice of these claims, and said they would be considered—at least, that was the interpretation put upon what he said, that a certain number of men with the longest terms of service would be placed on the permanent list. The position of

these men was very similar to that of the men employed in the Dockyards, and he was of opinion that they had equally valid claims to consideration. What was granted in the one case ought to be granted in the other. If the right hon. Gentleman representing the Government would look into the matter he would see that these men were not receiving the same consideration as the Dockyard *employés*. As he had said, he had taken these men under his own care, but since his Colleague on the other side of the House had brought the question forward, he had decided to support him, in the hope that he might succeed in getting something done. The matter was in the hands of the Department at the present time; but he would support the hon. Gentleman (Mr. T. Chamberlayne) not on the ground of sympathy, but because the claims of the men to superannuation were just and right.

\*THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden) said, he thought he ought to offer a few words in regard to the men of whom the hon. Gentlemen representing Southampton had spoken. A Committee was appointed in June, 1891, to inquire into the status of the *employés*; that Committee reported, and the recommendations contained in the Report as to pay, promotion, travelling allowances, sick pay, legal holidays, and other matters of importance had been—with some slight qualification in favour of the men of the Survey—carried into effect in September and November of 1892. With regard to superannuation, he would remind hon. Gentlemen that this was a matter which was not referred to the Departmental Committee, as it was contrary to practice so to refer matters of that character, the Treasury being entrusted by Parliament with the control of the Pension Vote. Hon. Gentlemen would therefore see that no decision could have been arrived at on the question of superannuation by the Committee. He might say, however, that representations were made to him on the subject by the Junior Member for Southampton (Mr. F. H. Evans), which he had, as in duty bound, forwarded to the Treasury, and they were under the consideration of the Treasury at the present time. He would like to

*Mr. Tankerville Chamberlayne*

point out that, as matters stood, the men were not thrown out—turned adrift—in the manner in which the hon. Gentleman the Member for Southampton seemed to fancy. If there was no system of superannuation for certain classes of men there was a system by which gratuities were awarded to those who were not entitled to pensions. The basis on which the gratuity was calculated was never less than £1 for each year's service; and he found that in the past three years a substantial number of claims of this kind—24 one year and 15 the second—had been admitted. He thought hon. Gentlemen would admit that these men, having received various gratuities from the Government, were not so absolutely destitute as the hon. Gentleman who had spoken would endeavour to make them believe. The representations made to him had been for some time under the consideration of the Treasury, and he hoped soon to be in a position to give further information on the subject.

MR. T. CHAMBERLAYNE said, he was obliged for the reply of the right hon. Gentleman, but, at the same time, he did not see how the gratuities granted could be of any use to an aged workman retiring after 60 years' service. He must, therefore, move the reduction of the Vote by £1,000. He was sorry to have to put the Committee to the trouble of a Division; but this was the first time the question of old-age pensions had been before the House this Session, and the country would desire to know what the attitude of the Government was on the subject.

Motion made, and Question proposed, "That the Item of £35,000, for Surveys of the United Kingdom, be reduced by the sum of £1,000."—(Mr. Tankerville Chamberlayne.)

MR. R. G. WEBSTER said, they had no information from the right hon. Gentleman who had addressed the Committee as to whether the recommendations which had been sent forward would be carried into effect if agreed to by the Treasury. For this reason he would support the Amendment.

Question put.

The Committee divided:—Ayes 96; Noes 185.—(Division List, No. 96.)

VOL. XII. [FOURTH SERIES.]

Original Question again proposed.

\*MR. GIBSON BOWLES said, he desired to call attention to a most important subject as affecting the commercial interests of this country, and especially as affecting the Department of the President of the Board of Trade; that was to say, "Harbours and Foreign Lighthouses," or lighthouses abroad. He did not wish to deal with harbours, but as to the lighthouses under the Board of Trade he had a great deal to say. [*Ironical cheers.*] Yes, he had a great deal to say; but with his usual consideration for the Committee he would make his observations as brief as possible. Lighthouses were everywhere important, but their importance was greatest of all when the lighthouses were in foreign parts and maintained by the Board of Trade of this country. The mere fact that it was considered necessary by this country to keep up lighthouses in the West Indies and on the coast of South America was a proof of the importance attaching to these particular lighthouses. He need not tell the right hon. Gentleman the President of the Board of Trade how important it was that the lights in these lighthouses should be of adequate force and easily distinguishable from other lights, and kept up in a proper and efficient manner. The right hon. Gentleman knew as well as he (Mr. Bowles) did the stress that was laid on the seaman when, after long hours of watching, he came to a spot in which he ought to be under the rays of a certain light, but failed to find that light. He knew that oftentimes the skipper was obliged to go to the mast-head to find the light his mate was unable to discover, and he was aware how important it was at all times that the lights should be in proper order. There were lights of various kinds; but, broadly speaking, the lights in ordinary use were of two kinds—the catoptric, which was a system of reflection, and the dioptric, which was a system by which the rays were brought together by reflection through convergent glasses. It was of the highest importance that the light suitable to a certain place should be set up in that place. It was equally important that the distinguishing period of the light—that was to say, the interval between the flashes—should be



strictly adhered to. The precise duration of the interval was, as a rule, the only means the mariner had of distinguishing whether or not the light he saw was the one he was in search of. On one occasion the regularity and exactitude of a light at sea undoubtedly saved his life, and on another occasion irregularity as certainly very nearly lost it. Once on the coast of Syria, after battling with the breeze three days and three nights, never having been in bed, he came to a light, but, in consequence of its irregularity, could not tell whether it was on Mount Carmel or at Beyrout. The interval between the flashes in the case of the Mount Carmel light was  $1\frac{1}{2}$  minutes, and in the case of the Beyrout light 2 minutes; but the interval in the case of the light he saw was  $1\frac{1}{2}$  minutes. The point for him to decide had been whether the Mount Carmel light was going too fast, or whether the Beyrout light was not going fast enough—and to show the importance of the question to him the safety not only of himself and of the vessel he commanded, but also that of his children, was at stake. If he had been mistaken in deciding that the light was that of Mount Carmel he would have borne up under it, and they would all, inevitably, have been lost. The Board of Trade in connection with these foreign lights did not do its duty. The first item among these lights was the Inagua, in the Bahamas. The right hon. Gentleman the President of the Board of Trade, who was familiar with bankruptcy matters, patents, labour questions, and shipping, of course knew all about this light which was on the Inagua Island. It was a white light revolving at intervals of one minute, and should be visible at a distance of 17 miles. Well, he was credibly informed that it was not visible at 17 miles distance, and that, so far from revolving at its proper interval of one minute, it was extremely irregular, the interval being sometimes over a minute and sometimes under. The light had been reported irregular ever since 1890; but the right hon. Gentleman the President of the Board of Trade had never had it set right to this day. [*Laughter.*] Yes; the right hon. Gentleman was the responsible person. His was the salary he (Mr. Bowles) would have to reduce, and he was the person to see that this light was

set right. There was the testimony of the Admiralty light list to show that this light was irregular. On the Caicos Island there was a white fixed light for which the President of the Board of Trade was responsible. The right hon. Gentleman was only responsible for 13 lights, the Trinity House being responsible for the general system of lights round this country. The Trinity House did its work admirably, because it was composed of trained practical men. What he contended was that the right hon. Gentleman the President of the Board of Trade, in this matter of lights, did not do his work thoroughly. The Admiralty light list informed them that this light under the Caicos Island was not to be depended upon. On the Grand Turk Island there was another light which was not to be depended upon. There was an additional light promised in the Bahamas—on Beacon Cay—which had not yet been set up, and he should like to know whether it was really intended to provide this light? He had now done with the Bahamas and he came to the Lower Antilles. There was a light on Sombrero Island—a white reflecting dioptric light of the second order; but he maintained that it should be of the first order. This Sombrero light, which was inadequate under any circumstances, had been reported irregular ever since 1892. What had the right hon. Gentleman the President of the Board of Trade done to remedy that irregularity? He (Mr. Bowles) had brought before the House four cases of irregularity out of 13 cases altogether, and he had also to make a serious complaint as to the light at Cape Pembroke on the Falkland Islands. This was the only light in that part of the world, and it was of the utmost importance that it should be a good and sufficient light, and of the first order. It was an ordinary reflecting dioptric light, and, no doubt, of the first order of dioptric lights; but his contention was that it should be a catoptric light of the first order. Instead of being visible for only 14 miles, this light should be visible for 20 miles. The lights round the coasts of Great Britain were as good as any lights in the world—possibly the French lights were a shade better; but he believed that our lights were, on the whole, as good as need be. And they

had been managed for centuries by practical men. The Trinity House was responsible for them, and the Trinity House took care to see that there was no irregularity or inadequacy about them, and that complete dependence might be placed upon them and the fog signals, and all the other complicated apparatus they had to keep in order. But this could not be said of the lights of the right hon. Gentleman the President of the Board of Trade. His lights were always wrong. If they were to have lights abroad it was necessary that they should be under the management of people who knew what lights were, and not of people who did not know the difference between a jibboom and a sextant. Let the lights be attended to by men who had experience and knowledge of such things, and who, if there were defects, would know how to remedy them. Do not let a right hon. Gentleman be responsible for them who already had too much to do for his salary—a landman, who was already a professor of bankruptcy and labour. He (Mr. Bowles) did not mean to labour this question, as there were others who understood it as well as he did, and, no doubt, would want to say something upon it. What he maintained was that the right hon. Gentleman's lights were in many cases inadequate and in many cases irregular, the reason being that in every case they were under the wrong Department. Instead of being under the President of the Board of Trade, they should be under the Trinity House. It was extremely likely that the right hon. Gentleman would agree with him that this was not business which should be carried on under the Board of Trade. If so, it was to be hoped the right hon. Gentleman would agree with him in another matter—he intended to bring under notice later on—namely, the treatment of the Trinity House with regard to its funds. The Trinity House could not take charge of these lights, as it had not sufficient revenue. The President of the Board of Trade had £120,000 a year which belonged to the Trinity House. Stimulated by the example of the Chancellor of the Exchequer, who put his hand into the Treasury Chest, the right hon. Gentleman put his hand upon the funds of the Trinity House levied from dead sailors' wages and light dues, and paid clerks

with that which ought to go towards expenses of lights. The right hon. Gentleman would admit that he did not know much about lights, and, no doubt, he would rather have them managed by the Trinity Board. Let him, then, set his face against what might almost be termed the malversation of these funds levied on shipping, and let him see that the money was handed over to the Trinity Board, not only to maintain those lights already in existence, but to establish others wherever they might be needed. He hoped that he should not be forced to move a reduction in the Vote.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) said, that the foreign lights under the control of the Board of Trade were very few in number, and the complaint made by the hon. Gentleman was the first he had heard with regard to them. If the hon. Gentleman was so patriotic that he wished to have the lights increased in quality and regularity, why had he not brought the subject before the Board of Trade, either by putting a question on the Paper or in some other way? The matter had been sprung upon the Committee without the slightest notice. All he could, under the circumstances, reply to the hon. Gentleman was that if he had any complaint to make regarding the lights the Board of Trade would be very happy to receive it, and to refer it to scientific authorities who knew more about the subject than he (Mr. Mundella) did.

\*MR. GIBSON BOWLES said, he had brought the subject forward in the proper way on the Vote which related to it. In his opinion, one of the first duties of Members of Parliament was to attack defective administration, and he thought that when he found a large sum of money was spent on lights that were not adequate he was bound to draw attention to the matter. The right hon. Gentleman practically admitted the whole of his contention; and, therefore, he admitted that he was going on presenting dangerous lights to British and foreign seamen. The right hon. Gentleman said he had had no complaints before; but he ought to have known the state of affairs, whether he had complaints or not. It was not his (Mr. Bowles's) business to go about the world finding

out defects in the Board of Trade's lights and reporting them to the right hon. Gentleman. It was the right hon. Gentleman's business to go about seeing that his lights were right. The attitude of the right hon. Gentleman, and his entire want of knowledge on the subject, were so serious to the seamen of the whole world that he felt bound to move the reduction of the Vote by £500.

Motion made, and Question put,

"That the Item of £2,000, for Harbours, &c., under the Board of Trade, and Lighthouses Abroad, be reduced by the sum of £500."—*(Mr. Gibson Bowles.)*

The Committee divided :—Ayes 95 ; Noes 191.—(Division List, No. 97.)

Original Question again proposed.

\*SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, he wished to ask for some explanation of the Vote for Peterhead Harbour. That Vote had appeared now for a considerable number of years. The total Estimate for the work was £750,000, of which £226,000 had been already expended. It would thus be seen that the work, the value of which was extremely problematical, was progressing very slowly. The amount required for next year was £29,800, and £13,183 was put down for this year. [Mr. E. ROBERTSON dissented.] Well, at all events, between £25,000 and £30,000 was apparently being spent upon the work every year. He thought the Committee was, under these circumstances, entitled to some explanation of the way in which the construction of the harbour was proceeding. The work was very costly, and it was going forward at the slowest possible rate. In other words, the work was being proceeded with in a way that was bound to result in the maximum of expenditure with the minimum of advantage. Any gentleman who knew the principle on which works of this kind were constructed would see that for a harbour which was to cost about three-quarters of a million sterling to be built at the rate of £29,000 a year was a practical absurdity. It would be very much wiser for the Government to give up the work and to save the half-million of money which had not yet been expended than to proceed with the undertaking at its present slow rate of progress.

*Mr. Gibson Bowles*

THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee) said, the hon. Gentleman had invited him to deal with two questions. One of these was a question of principle, and the other related to the slow rate of progress at which the work of constructing the harbour was proceeding. It would be hardly fair to call upon him (Mr. Robertson) to explain the principle of the work. The value of the harbour, no doubt, might be problematical ; but the policy and principle of the work was settled nearly 10 years ago. He was not aware that the Vote was to be challenged, and he must respectfully decline to enter into any inquiry at the present moment as to the value of the work. The hon. Gentleman himself was responsible for the Vote during the last six years.

SIR E. ASHMEAD-BARTLETT : I have steadily protested against it.

MR. E. ROBERTSON said, if the hon. Member had steadily protested against a Vote he was officially bound to defend, such an extraordinary failure of official duty on his part had certainly escaped his (Mr. Robertson's) notice. The hon. Gentleman also challenged the rate of progress at which the work was proceeding. On this point he had made some mistakes with regard to facts. The £13,000 he had mentioned was entirely wrong. The amount asked for this year for the work was £29,000 ; and in view of the criticisms now indulged in by the hon. Gentleman, it was astounding to learn that £29,000 was the amount which had been asked for every year during all the years in which the hon. Member had been himself responsible for the Vote. The present Government were asking for exactly the same contribution as the late Government had asked for ; and if there was anything wrong in this demand he must ask the hon. Gentleman to settle the question with his former Colleagues in the Admiralty.

\*SIR E. ASHMEAD-BARTLETT said, he, of course, apologised to the hon. Gentleman for not having given him notice of the question. He had not known that the item was to be brought forward to-day ; but as soon as he found it on the Paper he gave notice to the Financial Secretary to the Treasury (Sir J. Hibbert) that he intended to raise the point. The hon. Gentleman who had

just spoken was quite mistaken when he said that he (Sir E. Ashmead-Bartlett), or any other Member of the late Board of Admiralty, was responsible for this Vote. The Admiralty was only responsible for the execution of the details of work which was settled by the Treasury, and had nothing to do with settling the amount expended year by year. Of course, as long as he was a Member of the late Government he could have no means of protesting in the House against the Vote; but he had on all occasions in his power pointed out the unpractical way in which the work was undertaken, and was being conducted. He should be very happy, when the opportunity offered, of endeavouring to impeach the policy of the Vote. In the meantime, he must ask the supporters of the Government to reflect for a moment upon the admissions made by the hon. Gentleman who had defended the item. The work was decided upon some years ago, and was to cost about £750,000. Up to the present time less than one-third of the work had been completed, and at the present rate the harbour would not be finished for another 20 years. Only £29,000 a year was being expended on the work. If it was to be proceeded with at such a rate he could only say that such a policy involved the maximum of expenditure with the minimum of advantage.

SIR W. HARCOURT: The course which the hon. Member has taken, and the manner in which he has dealt with this Vote, is certainly a matter for surprise. We have observed that for several years he has been continuously silent, and it now appears that all that time he was meditating on the misdeeds of the Government, and particularly of the Department for which he himself was responsible. But now that he is no longer in an official position, he finds himself able to indulge in what Lord Beaconsfield once called "a wild shriek of liberty," and he protests against a policy which was pursued when he sat on the Treasury Bench, but which it now appears he always condemned. The hon. Member's conduct is, in my opinion, absolutely inconsistent with the established usages of administration in this country, and most demoralising to the Administration. If subordinate Members of a Government acquiesce in matters of which they disapprove they should for

ever after hold their peace. They cannot enter into matrimonial connections with a Government when in Office, and then, when out of Office, proceed on principles of free love. You cannot have your cake and at the same time eat your cake. A subordinate Member of a Government who keeps silence whilst his Government remain in power ought not, when it ceases to do so, to come forward and condemn the conduct of those who have been his Colleagues. The adoption of tactics of that kind can only destroy the honourable understanding on which business is conducted in this country. This is the first occasion when I have known such a course to be pursued, and I hope it will be the last. During the 25 years I have been a Member of this House I have never before heard a subordinate Member of a past Government protest against and condemn a policy for which that Government was as responsible as its successor. I wish before sitting down to remind the Committee that, in order that the law may be complied with, this Vote must be passed to-night and reported to-morrow; and therefore, with all due submission, I would suggest that the Committee should be allowed to pass on to the discussion of matters more important than some of those which have hitherto occupied our attention. Large payments must be made at the beginning of June in connection with the Education Department, the Prisons Department, and the Irish Constabulary. These payments cannot be made until the Vote has passed through all the necessary stages and the Royal signature obtained. In these circumstances I trust that the limited time at our disposal will not be wasted in discussing comparatively trivial subjects. Let us see how we can best dispose of the time which yet remains to us.

SIR E. ASHMEAD-BARTLETT said, he wondered that the Chancellor of the Exchequer, who was himself the chief monument of inconsistency, should rate him, seeing that he had changed his policy more often than anybody else, and, after swallowing his former opinions, was now revelling in the very Parnellite juice he had once so strenuously denounced. He was not going to sit still under such a lecture. There was no ground for the ridiculous hectoring which the right hon. Gentleman had indulged in. The right hon. Gentleman was very fond of

jumping on someone whenever opportunity offered; but he was not in the least affected by the stigma which the right hon. Gentleman had endeavoured thus to cast upon him. The matter to which he had drawn attention was initiated before the late Government came into Office, and the work must be carried forward under successive Governments. There was nothing improper or unusual in the course which he had taken. Had he time to examine the speeches and votes of the right hon. Gentleman during his chameleon-like career—which Heaven forefend!—he would, he was certain, find instances of inconsistency on the right hon. Gentleman's part which would eclipse altogether the inconsistency which the right hon. Gentleman had attributed to him.

\*SIR J. FERGUSSON (Manchester, N.E.) said, the Chancellor of the Exchequer had reminded them that they only had one night in which to discuss the Vote on Account, and he would at once point out that that was the fault of the Government itself, as the Vote might have been brought forward on the day before the holidays. He was himself very unwilling to raise any question unnecessarily; but there was a matter in which he took considerable interest, and he felt he was obliged to seize this opportunity of bringing it under the notice of the Committee. He wished to draw attention to the question of the employment of soldiers and sailors on the completion of their service in the Civil Departments of the State.

\*MR. A. C. MORTON: I rise to Order. I want to raise a question on Class II., which refers to the officers of the House of Lords, which has priority, I think, over the subject to which the right hon. Baronet refers.

SIR J. FERGUSSON: I do not propose to trouble the Committee to go to a Division—

MR. R. T. REID (Dumfries): Did not the late Chairman of Committees lay down a Rule that when once a Vote had been discussed it was out of Order to touch on Votes which preceded it?

MR. POWELL WILLIAMS (Birmingham, S.): I want to raise a question on Class I. as to rates on Government property. I think that that has priority over the subject referred to by the hon. Member for Peterborough.

*Sir E. Ashmead-Bartlett*

THE CHAIRMAN: If the right hon. Baronet likes to give way there can be no objection to the hon. Member for Peterborough raising the question he wishes to. As to the point of Order, I would remind the hon. Member that no Amendment has been moved.

\*MR. A. C. MORTON: Then can we go back to Votes which have been passed over?

SIR W. HARCOURT: I should like to ask your ruling. Are we to have discussions without Amendments being moved, and without limit? If we are, and if hon. Members are to be allowed to go back to Votes already passed over, we shall never get on. We ought, surely, to pass the Votes in their order.

LORD G. HAMILTON (Middlesex, Ealing): If my right hon. Friend makes a speech on the subject to which he is calling attention, and that is followed up by a speech from another hon. Member on the same topic and with an Amendment in connection with it, would not that prevent any discussion on Votes preceding this one?

THE CHAIRMAN: Certainly it would. I certainly agree with the Chancellor of the Exchequer that it is most desirable that the Votes should be taken in their order. The difficulty here is that hon. Members have not given notice of their intention to move Amendments, and it is not easy to see that the subjects are raised in their proper order.

SIR W. HARCOURT: Would it not be proper that each Vote should be taken in its turn?

THE CHAIRMAN: Yes.

MR. POWELL WILLIAMS said, he wished to refer to a subject connected with Vote 13 in Class I. (Rates on Government Property). This Vote involved a sum amounting, in the aggregate, to nearly £250,000. As they knew, Government property was not legally liable to rating. This Vote of nearly £250,000 was, therefore, a voluntary contribution by the House in aid of local and municipal rates. If he was correctly informed, a considerable part of this sum was given in aid of rates levied for the purposes of the Church of England. If so, that was a case of the "free love" to which the Chancellor of the Exchequer had recently referred. The present Government, with the aid of about 60

Roman Catholic Members from Ireland, were seeking to disestablish two Protestant Churches in this country, and yet they were, apparently, willing to aid one of these Churches out of public moneys. The position of the Government appeared to be anomalous, and he hoped an explanation might be given. He did not see how the Government could accept the principle of Disestablishment, and, at the same time, ask the House to pass Estimates which included voluntary payments on behalf of the State Church. He wished to ask—aye or no—did this Vote contain any sum which would be a voluntary payment to the Established Church?

SIR J. T. HIBBERT said, that if the hon. Member had given him notice he would have obtained for him all the information that was possible. [Sir J. GORST: Oh, oh!] Well, they could not be expected to be conversant with, and able to give full information on, every matter of detail connected with the Estimates, unless they were informed beforehand that the information was required. Personally, he could not say whether any such voluntary payments were made to the Church of England or not; but the Government paid wherever a private person would be compelled to pay, and as a private person was not compelled to make a voluntary payment, he should, therefore, argue that the probability was that no payment was made. He would obtain the information, and give it to the hon. Member on the Report. That was the only way in which he could answer the question.

SIR J. GORST (Cambridge University) said, the ejaculation which he interposed in the speech of the right hon. Gentleman had not for its object to suggest that it was unreasonable to ask for notice; but it was to show his surprise that the Government should complain of the absence of notice. The Vote on Account was not delivered until after the House had risen for the Recess, and, therefore, it was impossible for hon. Members to give notice. He protested against the Government, under those circumstances, complaining of want of notice. The right hon. Gentleman the Member for Thanet and himself were the only Members who had notices on the Paper, and they were put down on speculation. The extraordinary and unusual course pursued by the Govern-

ment had made it absolutely impossible to give notice.

SIR J. T. HIBBERT said, that on general subjects notice was not always necessary; but this matter was really one of detail, which he was not able to answer without notice. He thought that most Members knew that the Vote on Account referred to every Vote which had not been passed; and, consequently, it would not have been difficult for anyone who wished to bring forward any question to put down notice.

MR. JAMES LOWTHER (Kent, Thanet) said, he had had every intention to give ample notice; but he had found it impossible, in accordance with the Forms of the House, to do so. He had put down two Notices dealing with the Vote on Account, and he found it impossible to indicate, otherwise than in a general way, the points he desired to bring before the Committee.

MR. POWELL WILLIAMS said, it was impossible for him to have given the right hon. Gentleman notice, because he had not himself observed that the question of rates was to be dealt with by the Estimates until just before he rose. He could tell the Committee, although the right hon. Gentleman could not, that this Vote contained money which was to be devoted to the ordinary purposes of the Church of England, and that it contained voluntary payments recommended by the Government. He was not now complaining of this payment; but his contention was that such payment was an inconsistent one for the Government to make.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. H. H. FOWLER, Wolverhampton, E.): Who makes the payment?

MR. POWELL WILLIAMS: That is not the point. If I am correctly informed, this Vote contains payments made in certain localities for the purposes of the Church of England.

\*MR. H. H. FOWLER said, the hon. Gentleman misunderstood his point. He asserted that the payment was made, and what he desired to know was by whom it was made? An objection had been raised in this House against Government property being exempted from the payment of local rates; and the Government, while not admitting that it should be rated in the same way as any other

property, consented to make payments to the various Local Authorities in lieu of rates. The money was handed over to Town Councils and other Local Bodies. This contribution could only be dealt with by the Local Authorities for local purposes, for which rates were levied.

MR. POWELL WILLIAMS said, it made no difference who actually made the payment. He thought the Government ought to ascertain the kind of rate to which it was contributing; and if it discovered that it was contributing any money in aid of the Church of England then it should take care to deduct such amount. He would take a hypothetical case. Supposing one authority claimed a grant of £10,000, and it was found that one-tenth of that money would be handed over for the purposes of the Established Church, would it not be the duty of the Government to say—"No; you shall only have £9,000. We will not give you the £1,000 which you propose to pay over to the Church." It surely made no difference who paid the money. If the Government contributed to Church rates then it was acting inconsistently.

MR. MACARTNEY said, he wished to know, with regard to the series of dynamite explosions in Dublin, whether any measures were being taken to protect more efficiently the public buildings in that city; and whether it was proposed to offer any reward for the discovery of the guilty persons, who were supposed to be a very small body probably unconnected with any political organisation? He believed an inquiry had already been held under the Explosives Act, and he wished to know what precautionary measures were to be taken? He also wished to know whether there was any provision in the Estimates for the completion of the roofing of the Carlisle Pier where the mails were landed, and whether the work would be carried out this year? He had now been drawing attention to this question for several years. It took him three Sessions to find out what Department was responsible for the work, and having ascertained that it was the Treasury he had next to convince the Postmaster General that the mails suffered damage by being landed on the unprotected pier in bad weather. The amount required for the completion of the covering was very small indeed.

*Mr. H. H. Fowler*

The sum required for this very necessary work was not large—about £2,000, he believed.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): More.

MR. MACARTNEY said, it could not be more than £3,000. The Board of Works made preparations to begin, and then left off the work. He thought he might appeal to the right hon. Gentleman's own experience, and he was sure—he was convinced—that the carriage of the mails—and mails were liable to get injured if not destroyed by exposure—would be facilitated by the completion of this work.

MR. J. MORLEY said, in answer to the question put regarding the offering of rewards for the discovery of the perpetrators of explosions, that the subject was fully considered on the occasion of the explosion last Christmas; and that it was also considered by the last Government, when the same conclusion was arrived at. He had read very carefully the arguments which had weighed with successive Home Secretaries in the matter, and the opinion had uniformly been held that the offer of rewards was a system which did not produce good results. More likely than not, the offer of a reward would be accompanied by serious drawbacks. One drawback was that those whose duty it was to investigate crimes might wait till the reward was offered before taking action. Again, it was undoubtedly the fact that in the Colonies, and sometimes in this country, stimulated by the hope of reward, charges had been brought for which there was no foundation. In one or two cases actual wrong had been done to innocent persons in this way. He could assure the hon. Member that the question had been fully considered without any prejudice; and the deliberate conclusion had been come to to adhere to the principles laid down by the Home Office. Unless some strong reason should be shown on some future occasion for departing from that course, the Government would continue in it.

SIR J. T. HIBBERT said, that it was not possible to find money this year for the better protection of the mails at Carlisle Pier. Some other year he hoped the work would be carried out.

MR. JACKSON (Leeds, N.) said, that he heard the reply of the Secretary to the Treasury with surprise. When he was at the Treasury a distinct promise was given that, if the pier were widened to accommodate two steamers, the work mentioned by the hon. Member should be performed. The pier had been widened for some time; and it was urgently necessary to make better provisions for the mails. He hoped they would have a word from the right hon. Gentleman to say that the undertaking of the Treasury would be carried out.

SIR J. T. HIBBERT said, he admitted the matter was one of great urgency. It would not be lost sight of.

MR. MACARTNEY merely wished to add to what he had already said, that the improvement was very much required, and he would express a hope that the right hon. Gentleman would have the work forwarded as soon as possible.

\*MR. W. KENNY (Dublin, St. Stephen's Green) said, he wished to ask, with reference to the grant of £5,000 for the building of a Lecture Theatre in connection with the Royal Dublin Society, whether the building would belong to the Society or to the Government as one of the Science and Art buildings? He would remind the Financial Secretary that the Society were also subscribing £5,000 towards the erection of this structure, and it would be desirable to know whether, if the Home Rule Bill passed, the Society would be affected in its control of the building.

SIR J. T. HIBBERT said, that the building would be under the control of the State. But the grant would not alter the present condition of things as between the Royal Dublin Society and the Government.

SIR ALBERT ROLLIT (Islington, S.) said, he was greatly interested in the development of sea fisheries along the Irish coast, and he would like to put a question in connection with the Vote for Light Railways in Ireland as to whether any alteration had been made in the plan for the Skibbereen and Baltimore Light Railway? He had had a conversation with Father Davis, who had done so much to develop the fishing industry on that part of the coast, and he heard from him that the railway was to be continued to the shore, where a pier was to be

built. He hoped that plan would be adhered to; but a rumour had been going the rounds that the plan was to be abandoned. If it was to be abandoned, he could only say it should not be done without very good reason. The industry of fishing in the plan depended upon the carrying out of that plan; and, if it were not carried out, the work of the last two or three years would go for nothing. He, for one, would like to see this industry developed, and he trusted to hear that the rumour was unfounded.

SIR J. T. HIBBERT said, that there was no grant for building the pier. The money was voted for the purposes of the railway. There was a probability that in two or three years' time the money for the pier would be found from funds devoted to such purposes. He agreed as to the necessity for connecting these light railways with piers, and would gladly do all in his power to have the work carried out at the earliest moment.

\*MR. PERCY THORNTON (Clapham) said, he had had some experience in the neighbourhood, having just returned from Skibbereen, and it was felt in the district that the light railway, as it stood, was practically useless. The fishing industry at Baltimore suffered through lack of proper pier accommodation. The pier which he saw there was so high above the boats landing at it that the fish got destroyed by being thrown out upon it. It was far too high, and he should be glad if something were done to improve the method of treating the fish on landing. As he had said, the general opinion was that the railway works, if allowed to remain as they were, were practically useless. He was pleased at being able to place his views before the Committee, having promised the people at Baltimore to ventilate the matter.

SIR J. FERGUSSON (Manchester, N.E.) rose—

\*MR. A. C. MORTON (Peterborough) also rose, stating that he did so on a point of Order.

THE CHAIRMAN: The right hon. Baronet is in possession.

\*MR. A. C. MORTON: Can he enter upon the question before me?

THE CHAIRMAN: The right hon. Baronet is in Order. He rose on two occasions, and gave way to other hon.



Members. He is entitled to be heard now.

\*MR. A. C. MORTON : I wish to deal with the House of Lords. It is not quite fair. On a point of Order, Sir, will it be competent for me to deal with the question later on?

THE CHAIRMAN : I do not think the hon. Member's rights are affected.

SIR J. FERGUSSON said, he would not stand in the way of the hon. Member for more than a moment or two—provided, of course, he got a satisfactory answer to his inquiry from the Secretary to the Treasury. The question about which he wished to make inquiry was, to his mind, of extreme importance; it was one that, so far as he was individually concerned, he had dealt with while at the Post Office. The question was as to the employment in public offices of soldiers and sailors who had served their time. Very early in the Session he asked the Secretary to the Treasury whether he would lay on the Table the Report of the Treasury Committee on this subject. The right hon. Gentleman replied that the Report had been delayed by the illness of a Member of the Committee, but that when it was presented it would be laid on the Table. In *Hansard* the words relating to laying on the Table did not appear—they had been dropped out, which was a proof of the advantage of the present system of revision; but he had the right hon. Gentleman duly reported to that effect in *The Times*. Again, six weeks ago, in answer to another question, the right hon. Gentleman stated that he would consider whether the Report could be laid before Parliament. It was notorious that a great number of places in the public offices, which could be filled by soldiers and sailors, were given away by private patronage. If the right hon. Gentleman the Financial Secretary would inform the Committee that the Report would be laid upon the Table he would not press the point, which otherwise he should be compelled to do.

SIR J. T. HIBBERT said, as to the insinuation that the report of his words in reply on a former occasion had been altered, he could say that, if there had been any alteration, it had not been made by him. He was not sure but that what he said was that he was prepared to consider whether the Report

should be laid on the Table. The Treasury were now considering the Report to which the right hon. Gentleman had referred, and until some determination had been arrived at in reference to the matter he could not state positively which of the recommendations contained in the Report would be carried out. The recommendations were strongly in favour of the employment in Government Departments of retired soldiers, and he hoped that those recommendations would receive favourable consideration. With regard to laying the Report upon the Table, he could not give a distinct answer at the present time; but he would see how far he could go towards having this done.

\*SIR J. FERGUSSON said, as to the report, he had understood the right hon. Gentleman on a former occasion to promise its production. He could not but regard his present reply as unsatisfactory, dealing with so important a matter as the employment of soldiers—

MR. GIBSON BOWLES : Sailors.

\*SIR J. FERGUSSON said, he was most willing to include sailors; but it was to be remembered that sailors served a very long time and got good pensions, so that the smaller places did not attract them. While at the Post Office he opened all outdoor places preferentially to soldiers and sailors. It was for the interest both of the Civil Service and the Army to give them places in the Service of the country. The Reports received from the Ambassadors showed that the employment of retired soldiers was carried out much more largely by the Governments in other countries. In Austria less was done in that way than in Germany, notwithstanding that 59,000 places were held by soldiers. The system seemed to be to induce non-commissioned officers to prolong their term of service as long as possible, and a superior class of posts was reserved for them. This was what was done in Germany, and in France, and in Italy; and the result was that in each of these countries the strongest inducements were held out to good conduct in the ranks. A non-commissioned officer of not less than 12 years' service had thus absolute prospects held out to him for the future. They had 90,000 men so employed after leaving the German Army, and so it was that

the Service in that country was popular. He (Sir J. Fergusson) was convinced it was the duty of the Public Departments to encourage a system of this kind; and he would add that it should not be a system founded on haphazard. Nothing would be more satisfactory to the soldier himself, if he behaved well, than that he would have a place open to him when his period of service had concluded. Why should they not give places to a number of such men in and about the Houses of Parliament, at the Foreign Office, at the Home Office, just as well as in the War Office, and at the Admiralty Offices, which, he was aware, did set an example at the present time? If they had a system of this kind in all their Departments, it would no longer be regarded as a reproach to have enlisted, and the advancement to these offices would be regarded as a reward for honourable service.

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.) said, the right hon. Gentleman opposite no doubt set a good example while he was at the Post Office; but the right hon. Gentleman had no monopoly of the opinion that retired soldiers and sailors should be employed in the Civil Service, because he (Mr. Campbell-Bannerman) and the Government were most anxious to provide suitable employment for them. The right hon. Gentleman exaggerated when he spoke of the employment of German retired soldiers in Government Departments. In Germany, they had to bear in mind, the State had control of the railways, and, therefore, situations could always be found in connection with the railways for discharged soldiers. The Government were doing their best to induce private companies and firms to employ retired soldiers and sailors, and they were doing their best themselves to set a good example in the matter. He entirely agreed with his right hon. Friend; but the Treasury Committee had presented a Report, which was now being considered. He hoped that in these circumstances the right hon. Gentleman would have some little patience until a decision could be arrived at with regard to the recommendations in the Report.

MR. HANBURY (Preston) said, they were always told to have a little patience. He thought too much patience had already been exercised with regard to this question. It was not a Party question; it had been brought forward from both sides. The late Government were as much to blame in connection with it as the present Government were, and he and other hon. Members intended to bring the matter forward on every Vote that allowed of their doing so until justice was done. Both that House and the House of Lords should appoint old soldiers and sailors to be their messengers and attendants, instead of allowing butlers and other private servants to be pitchforked into such berths. The Army would benefit by this system. The Secretary for War could find employment for many men, and it would be even, from a military point of view, an advantage to him to have the men under his eye, so that he could tell whether his Reserve was at home, or whether it was in existence at all. It would be an advantage to non-commissioned officers, too; and the employment need not be confined to messengers, but might be extended to many clerkships. He went further, and said there were many other appointments that could be offered to the non-commissioned officers and men from the Army, for in these days they were as well fitted by education for these posts as many of those who obtained them by competitive examination. If they were to show a good example themselves and employ these men, they would soon find that private firms and large public companies would follow it. If it was done in Germany, where they had a conscript Army, it was much more necessary where it was a volunteer Army, as in England. Unless something were done he could promise that when the ordinary Votes in Supply came forward upon every Vote connected with the Public Departments they would raise this question, and do their best to see that these posts were filled by soldiers and sailors.

\*MR. G. HOWELL (Bethnal Green, N.E.) could not allow the Vote to pass without entering his protest against the suggestion that provision should be made for men because they had served in the Army or Navy. He

had no desire to depreciate the fitness of these men for the work, or to do anything that might be calculated to prevent them obtaining a livelihood after they left the Service, but he entered his protest against it being thought they ought to make special provision for these men. To him it seemed that hon. Members spoke more or less in the interest of a military *régime*. It ought to be known to every man they had hosts of men—competent and able men—who were endeavouring to get positions in various Government Departments, and if they were to reserve posts in connection with the Government Departments for men who had chosen the Army or Navy as a profession, then he said they were entering upon a course which they did not know whither it would lead them. It must be understood that he had no objection to a man who had been in the Army or Navy getting a good position after serving his country, but what he objected to was that to follow the suggestions thrown out by more than one hon. Member might be placing them upon an inclined plane which might land them they knew not where.

MR. JAMES LOWTHER (Kent, Thanet) agreed with the hon. Member for Bethnal Green (Mr. Howell) that there were many of our fellow-subjects who discharged their duties in their varied walks of life satisfactorily to this country, and he wished them every prosperity during the remainder of their lives; but what the hon. Member failed to see was that those persons to whom he referred had not been engaged in the service of the State, as soldiers and sailors had been, for very small remuneration during the time they served, and it was in the public interest that every inducement should be offered to them to render that service to the State with some prospect that in after life, so far from that fact telling against them in the struggle for existence, it should be remembered to their advantage. The hon. Member for Bethnal Green (Mr. Howell) spoke of the difficulty persons had in obtaining positions in Government offices, and he thought that was one of the points that the Government would do well to bear in mind. The jobbery that took place in the endeavour to get persons into Government positions was one of the greatest nuisances with which public men had to

*Mr. G. Howell*

deal, and he was not speaking from the point of view of one Party or another; but there was no doubt that a Member of Parliament was expected to get positions of trust for all the relatives of every constituent, and he was reminded not only positions of trust but positions of emolument. Governments were worried out of their existence by applications from their supporters on behalf of this description and manner of persons. If it was understood and clearly laid down that, with certain necessary exceptions, the great mass of the patronage of the State would be exercised in a sense preferential to those who served the State itself, it would put down a vast deal of jobbery, secure Ministers from a great deal of unnecessary worry, and insure the State being faithfully served by good and competent servants. He hoped the Government would not think that the disclaimer of the hon. Gentleman, no doubt in perfect good faith, represented the general sense of the Committee, but would realise that, having to deal with a volunteer Army and Navy, it was most essential that every inducement should be held out to get competent and intelligent men to join the Public Service. They could all recollect that not many years ago it was looked upon rather as a sign of going to the bad when a young man joined the Forces of the Crown; but the present generation viewed the matter in a better light. He hoped the Government would persevere with the resolution they had apparently formed, and thus relieve the Committee from the necessity of having this question again obtruded upon its notice.

\*MR. GIBSON BOWLES said, the Secretary of State for War stated that these appointments would be given to soldiers and sailors if competent; but he (Mr. Bowles) thought it should rather be sailors and soldiers if competent.

\*MR. CAMPBELL-BANNERMAN explained that, in speaking as he did, he meant nothing disrespectful to the sailor.

\*MR. GIBSON BOWLES was glad that the right hon. Gentleman intended no reflection upon the sailor, for undoubtedly the sailor was the handier and better man of the two. Another thing he wished to call attention to was the delusion that seemed to prevail in the mind of the right hon. Gentleman the

Secretary of State for War, and also in the mind of the right hon. Gentleman the Member for Manchester (Sir James Fergusson)—namely, that because the sailor served for a longer period than the soldier, and got a pension, he was not, therefore, in a position to require or wish for a position under Government. The sailor, as a rule, left the Service at the age of 40; and if he was not fit, on account of his age, for a messenger, right hon. Gentlemen were not fit at 40 for Ministers, and in that case there would be a large disappearance from the Front Bench opposite. For all purposes for which a messenger was employed the sailor was most admirably suited. It was said that the Admiralty and the War Office did all they could to get employment for their sailors and soldiers; but, so far as the Admiralty was concerned, he was afraid that was not the case. He had been to the Admiralty himself more than once to see if he could get an old sailor, and he had found the greatest difficulty to get any knowledge as to any sailor who had retired from the Service. There were an immense number of posts that might be thrown open to these men. Take the Foreign Office. At present the messengers were appointed from the hangers-on, and he thought it would be far better to give these posts, at even reduced salaries, to sailors and soldiers. He was sorry to hear the remarks that fell from the hon. Member for Bethnal Green (Mr. Howell), who seemed to set up a rivalry between the working classes and the soldier and sailor. He certainly thought those posts should be given to soldiers and sailors who had given the best years of their life to the State, for, after all, it was really a continuation of the same service. He had referred to the case of the sailor who left the Service at the age of 40; but the case for the Naval Reserve man was particularly strong, because when he left the Service he was dismissed without a pension, and, as a rule, had to live for 10 years before he received a pension. He knew many of these Naval Reserve men, and they were excellently well fitted for the post of messengers, and, furthermore, he thought they had great claims to consideration in the matter.

ADMIRAL FIELD (Sussex, Eastbourne) was glad that several hon.

Members had been good enough to say a word on behalf of the sailor. He had not heard the speech of the hon. Gentleman who introduced the subject, but he thought it did not require much pressure on any earnest-minded man to support the argument that soldiers and sailors had a strong claim to consideration. The question was not new, for it was raised 20 years ago, when a large meeting was held on the subject at the United Service Institution, and it was then strongly forced on the attention of the various Public Departments. A sailor particularly was a handy man, and he believed it would be an economical arrangement to put sailors into these posts, because it would save them from entering into contracts for whitewashing, papering, and gilding, and these men would do it without extra pay, as they did on board ship, where all the officers found was the paint and the gold. Not only would it be a saving, but these sailors would do the work better than longshoremen; put the tools in their hands, and they would do justice to their employers, and that without asking for extra pay. He did not think it worth while to take up more time in discussing a matter that was obviously to the advantage of the Government, and he should not have spoken at all except for the remarks that had been made. When he heard his hon. Friend get up and speak about the sailor he seemed fired with a similar kind of enthusiasm, and if he had not spoken it might have been thought he had no sympathy with the sailor; and, therefore, he strongly commended the suggestion of the employment of these men to the Government.

Mr. FENWICK (Northumberland, Wansbeck) wished to associate himself with the protest made by the hon. Member for Bethnal Green (Mr. Howell) against any preferential advantages being offered to any particular class in finding employment in Government Offices. A soldier or sailor, in selecting his profession in life, was governed very largely by the advantages which that profession held out to him; and when he had made his selection he (Mr. Fenwick) did not think he ought to have any preference offered to him in the shape of finding employment for him when his professional service was ended. He equally protested, with the hon. Member for Preston (Mr.

Hanbury), against muddlers and hangers-on, as they had been called, being pitchforked into these positions over the heads of other men. He approved of the principle of free and open competition for Government Offices, and he should strongly protest against any preference being given either to soldiers or sailors to what was shown to ordinary civilians. The right hon. Gentleman the Member for Thanet (Mr. James Lowther) advised the Government to close this question at once if they wished to prevent criticism every time the Estimates were considered. On that point he could assure the Treasury that if they accepted the suggestion made by the right hon. Gentleman they would not have obviated their difficulties, because the opposition to such a plan would become keener and more acute every time the Estimates were considered; and he, therefore, joined in strongly protesting against any preference being given to either Army, Navy, or Naval Reserve men.

\*MR. JOHN BURNS (Battersea) said, that, being sympathetic to both the soldier and the sailor, he trusted the Committee would not be unsympathetic and unjust to the civilian who paid the rates, and who had a right to an equal chance of employment if it could be got. Other things being equal, the soldier and the sailor now had the advantage over the civilian from his training and discipline. He would point out to the hon. Member for Lynn (Mr. Gibson Bowles) that the sailor, though superior to the soldier, was not the man he was formerly; he was not such a good all-round man as he was 15 or 20 years ago; but even supposing he was all that was said of him, that was no reason why a man who had never been in the Service should be handicapped as he would be if facilities were to be found for the soldier and the sailor. He was astonished to hear the hon. Member for Lynn say he was in favour of employment being given to the man with a pension. He trusted the day was not far distant when plurality of offices would be done away with from the highest to the lowest, and that a man receiving a pension would not be allowed to enter into unfair competition with other men in the labour market who had no pensions. A man with a pension of from 5s. to 10s. a week was able to accept a berth at a

lower wage than a man who had no such pension. At Olympia and the Fisheries and Colonial Exhibitions they found Superintendents of Police, who were receiving pensions of £3 and £4 a week, doing work for 1s. 6d. a night that a poor man would be glad to do. At the theatres they found quartermasters doing work at 2s. per night that poor board-men, or sandwich-men, would only be too delighted to get at the same price. Take the London County Council, and they found they had 900 firemen, and every one of them had been either in the Mercantile Marine or the Royal Navy. What more favourable means of finding employment did these men want? He protested on behalf of a number of men who did not wish the soldier or sailor to be handicapped, but who asked to be allowed to compete with them on fair terms, and this was the reason he objected to the soldier and sailor having a preferential position offered to him. What did they find at Woolwich? There were 500 pensioners employed there, and these men were responsible for dictating the rate of wages to be paid to 3,400 labourers, and the result was that 2,800 of these labourers received a starvation rate of wages, in consequence of the pensioners taking low wages that, with their pensions, was equal to market rate, below which non-pensioners could not live. The authorities were uncharitable enough to accept the labour of the pensioners at unfair rates. The tendency was to give too many facilities to the soldier and sailor, and what those on whose behalf he spoke asked for was fair competition all round.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. FREEMAN-MITFORD (Warwick, Stratford) said, that he wished to support the views of the right hon. Baronet (Sir James Fergusson). He had not intended to trouble the Committee with any remarks on this subject; but he confessed that he had listened with astonishment and pain to some remarks which fell from the hon. Member for Bethnal Green, which remarks were afterwards emphasised by the hon. Member for the Wansbeck Division and by the hon. Member for Battersea. It had always been held by civilised

nations to be their duty to do what they could to make the old age of their soldiers and sailors as happy as possible. Soldiers and sailors had to face various climates. The position of our own soldiers was exceptional in this respect, and contrasted with the position of soldiers in the German and the French Armies, who, for the most part, remained in their own country. Our soldiers had to go to India and other unhealthy countries, where they had to encounter the dangers of climate, as well as the other dangers which were incidental to a soldier's life.

DR. CLARK (Caithness): I rise to Order, Sir. This is a Vote for Messengers for the House of Lords. Is it in Order to discuss the question of public offices generally?

THE CHAIRMAN: Strictly speaking, I think the hon. Member should confine himself to the question of the House of Lords' Messengers.

MR. FREEMAN-MITFORD, continuing, said, that the men were entitled to all the more consideration on account of the nature of their service. If any country in the world was more bound towards its soldiers and sailors than another it was this country. There was another reason why they should consider the claims of their soldiers and sailors. These men, having learned habits of discipline, were pre-eminently qualified to fill such posts as were in the gift of the Public Offices of this country. They had before them admirable examples of the fitness of these men for posts in the Public Offices. The men whom they had employed had done their work well. The men included not only ordinary soldiers and sailors, but men who had filled the position of non-commissioned officers in the various orderly rooms, and who were capable of taking up duties that required considerable ability and education, such as, no doubt, was the character of the duties of messengers of the House of Lords. It was his firm conviction that it would be a most unwise thing to adopt any principle by which these men should not, at any rate, have a preferential claim on the Government for such positions as had been described. By considering the claims of these men they could make the Services more attractive than they were at present. No doubt amongst the civilians who applied for these posts were many excellent men; but they had not

gone through similar discipline, and they had not similar testimonials of service and character on which reliance could be placed. When the old soldier or sailor came to them with the testimonials of those under whom he had served they knew that they had men on whom they could rely.

\*MR. A. C. MORTON: I have to move a reduction of the Vote for the House of Lords Officers—

MR. HANBURY said, he was sorry to interrupt the hon. Member, but he desired first to say a few words as to the remarks which had fallen from the hon. Member for Battersea on the subject of pensions. Although he might differ from that hon. Member in being most anxious that preference should be given to soldiers and sailors over civilians, he agreed with a great deal of what he had said on the subject of pensions. He desired to remove every obstacle to the employment of these men; and he wished, therefore, to say he was quite sure that if this preference were given to soldiers and sailors those for whom he acted would not consider it fair or right that they should receive their pensions in addition to the pay for the work of the office. There might be exceptional cases which would have to be dealt with differently; but he was bound to say he agreed with the hon. Member for Battersea that these pensions for public services ought not to be used to depreciate wages outside. That was the principle on which they should act, and he, for one, would certainly object to pensions being paid in addition to the salaries for work in Public Departments.

\*MR. A. C. MORTON said, that no doubt he was stupid, but he could not understand what the employment of soldiers and sailors had to do with this Vote, unless under certain circumstances they were going to send them to the House of Lords. He had always been struck with the immense difference between the cost of the staff of the House of Lords and that of the House of Commons. In the Paper they had presented to them they found the Vote for the House of Lords was £42,000, while that for the House of Commons was £50,000. But £42,000 did not cover the cost of the House of Lords' staff. There was another sum of £60,000, and a further sum of £5,000 or £6,000 out of what was called the

"Fee Fund." In looking through the Estimates he found some most extraordinary charges. The Serjeant-at-Arms in attendance on the Lord Chancellor got £1,500, and, in addition, a personal allowance of £96. That was the general policy. These officials got their salary and "something else." Let them take, for instance, the Department of the Chairman of Committees. There was the Counsel to the Chairman, who received £1,500, and a further £250 for taxing costs on Private Bills, that sum being provided under another sub-head. The Senior Clerk received a maximum of £850, but under another head he got a further allowance of £150, making his salary £1,000: how was it that that was described as a maximum of £850? He was aware that some years ago a Committee was appointed to consider this question; but, so far as he could ascertain, the only result was a reduction in the salaries of the housemaids. There were some 11 housemaids in the House of Lords; but he had been unable to find any in the House of Commons—so far as the Estimates were concerned. What was the net result? The House of Lords, which did not do one-tenth of the work which was performed by the House of Commons, cost just about as much money for its staff. That surely was not right? He did not intend to raise any question as to the use of the House of Lords; but he did contend that its officers should not be more highly paid than those of the House of Commons. He did not know what Cabinet Minister had charge of this Vote; but he wished to give notice that whatever the fate of his present Motion he proposed later on to ask the Committee to postpone the remainder of the Vote. His reason was this. Of late they had had most extraordinary threats as to what would be done in the Upper House if a certain thing occurred in the House of Commons. Well, he wanted to know if right hon. Gentlemen, in making those threats, were speaking on their own authority, or were authorised to speak for the Upper House? He intended to move the reduction of the Vote by £1,000, and in so doing he desired to intimate that he blamed the Government for foolishly providing this money for excessive salaries. They had it in their power to refuse to

*Mr. A. C. Morton*

put these sums in the Estimates, and it was their duty to decline to pay.

Motion made, and Question proposed, "That the item of £7,000 for House of Lords Offices be reduced by the sum of £1,000."—(*Mr. A. C. Morton.*)

SIR J. T. HIBBERT said, his hon. Friend was within his right in bringing forward this Motion, but the House of Commons could not control the expenditure of the amounts to which he had drawn attention. It was only indirectly that pressure could be brought to bear by the Government. Formerly the fees received by the House of Lords were dealt with by the House of Lords themselves, and they were only brought into account on the understanding that a Committee of the House of Lords should deal with these matters. That Committee was desirous of reducing the payments, and, as vacancies arose, many items were reduced. He might particularly mention the Office of Black Rod. When the next vacancy arose there would be a reduction of that item. With regard to the House of Commons staff, that was under the control of Commissioners, among whom was the Speaker, the Chancellor of the Exchequer, and one other Member of the Government. The hon. Member complained that the salaries to the House of Lords staff were greater than those paid in the House of Commons. He did not understand that his hon. Friend complained of the salaries of the officials of the House of Commons.

\*MR. A. C. MORTON: Certainly not.

SIR J. T. HIBBERT: He did not wish to say that the payments in the case of the House of Lords were not extravagant. He thought many of them were. But he did not see what connection there was between that and the action which the Lords might take with regard to a certain Bill, which was to be sent up to them from that House, and he should offer an unqualified opposition to his hon. Friend if he moved the Amendment which he had threatened.

DR. CLARK (Caithness) said, that in consequence of the answer of the Secretary to the Treasury he should support his hon. Friend. That House had the control of the money, and if the House of Lords did not get it, they would

not pay it out of their own pockets. As the Secretary to the Treasury had said, these salaries were not only far too high, but they were unduly extravagant. Black Rod received a salary of £2,000, and the Serjeant-at-Arms of the House of Commons, who did 20 times the work of Black Rod, received £1,200. The Serjeant-at-Arms in the House of Lords received £1,500, while the Deputy Serjeant-at-Arms who held a like position in the Commons only got £800. The door-keepers of the House of Commons received £250 and £300 a year, and the door-keepers of the House of Lords £600 a year. That was a flagrant scandal. The Junior Clerk at the Table received about 40 per cent. less than the Clerk of the other House, there being no comparison in the matter of work. He did not agree that the Treasury had no control. He remembered that he had on one occasion to move the reduction of the salary of the Chairman of Committees in the House of Lords (who did scarcely anything) in order to secure the proper remuneration of the Chairman of Committees in the House of Commons, who had to work exceedingly hard; indeed, he could not understand why the House tried to kill its Speaker and its Chairman of Committees, by keeping them on duty such long hours. Some of the House of Commons officials were not paid as they ought to be. They had a lot of men here in the House of Commons who, in many cases, were underpaid, whilst in the other House they had a number of men who, though they had hardly any work at all, were extravagantly paid. The House of Commons had possession of the money out of which these payments were made, and he thought they should show their sense of the inequality of treatment of the two Houses by supporting the hon. Member for Peterborough in his Motion to reduce the Vote.

MR. HANBURY said, that if they went to a Division he should support the Motion, because there could be no doubt of the uselessness of "protests" and "understandings" in these subjects. Protests were not sufficient, but they had the power to act. No one could say that they had not the right to refuse the payment of these salaries, and if it were the case that the salaries paid in the House

of Lords were much higher than those paid in the Commons, though the work was less, the system should be put an end to. He could not conceive why the salaries in the House of Lords should be out of all proportion to the work done. The salary of the Chairman of Committees in the Lords was formerly £2,500, whilst that of the Chairman of Committees in the Commons had only been £1,500, though the latter official had 20 times more work to do than the former. The disparity was ridiculous. He should like to go further than an "understanding" in the matter of the salaries of the officials of the House of Lords. Understandings always led to an infinity of trouble. What the particular understanding which had been referred to was he did not know. If it was that the Lords were to hand over all their fees to the House of Commons, he would remind the Secretary to the Treasury that they did nothing of the kind. The House of Lords kept back a large proportion of their fees for pensions which were distributed on a scale of which they had no knowledge in the House of Commons.

SIR J. T. HIBBERT: Hear, hear!

MR. HANBURY: The right hon. Gentleman apparently agreed with this. They would, therefore, probably hear something from him about it. How was this money spent on pensions in the House of Lords? Was it given on any definite scale?

SIR J. T. HIBBERT: I do not know.

MR. HANBURY: No; nobody could tell. They did not know when the pensions were earned, and when the men were obliged to retire. So far as he was aware, men might go on serving in the House of Lords until they were 100 years old. The right hon. Gentleman the Secretary to the Treasury said the salaries paid to the officials of the House of Lords were too high, and altogether out of proportion to the amount of work done, and when they got an admission like that from a responsible Minister he (Mr. Hanbury), Tory as he was, did not mean to allow himself to be led away by "understandings," or anything of the sort. Until these salaries were placed on a better footing, and the amounts paid were proportionate to the



work done, he hoped the House of Commons would refuse to vote the money.

COMMANDER BETHELL (York, E.R., Holderness) said, he agreed with all that had been said by the hon. Member for Preston and the hon. Member for Peterborough, but he doubted whether an adverse vote now would have any other effect than bringing the two Houses into collision. The proper way to bring about a reform in the salaries of the officials of the House of the Lords—a reform, to his mind, very much needed—would be by appointing a Joint Committee of the two Houses to go thoroughly into the whole matter of the salaries paid in either House. They would be very unwise if in that House they tried to hector the House of Lords. The House of Lords, as far as he knew, was composed of reasonable men. [*Laughter.*] Yes, and many of them were very learned; but, be that as it might, the Committee, he was sure, would be disposed to agree that if there were a Joint Committee appointed to inquire into these matters they would be much more likely to arrive at a satisfactory conclusion than they would be by now taking an adverse Division. If the hon. Member for Peterborough pressed his Motion to a Division he (Commander Bethell) should support the Government.

MR. J. ROWLANDS (Finsbury, E.) said, the hon. and gallant Gentleman who had just sat down had given them good reasons why they should support the Motion for the reduction of the Vote. He had suggested that they should not hector the House of Lords. Well, he (Mr. Rowlands) had no desire to do that; but what they wished to do was to express a strong opinion as to the way in which the House of Lords spent the money voted to them. Some years ago a Committee sat and made endeavours to reduce the expenditure in the House of Lords, but the reductions effected were so trifling that no one took notice of them. The only way in which they could really bring about a reduction in this expenditure was by refusing to vote the money to the House of Lords. Whenever this Vote had been before the House no one had attempted to defend

the charges the House of Lords made upon the Commons—no one had attempted to defend the salaries the House of Lords paid its officials. They were continually favoured with apologies such as they had just heard from the hon. and gallant Gentleman opposite. It was high time that the House of Commons showed, in an emphatic manner, that they were determined to bring about a reduction of expenditure in the House of Lords.

MR. BARTLEY said, they must all agree that the scales of the salaries paid in the two Houses were not right, and that some change was necessary. But they must avoid inflicting injustice upon existing office-holders; therefore, he thought that the best solution of the existing difficulty would be, to appoint a Committee to decide what the salaries should be in future as vacancies occurred. That policy had been pursued, to a certain extent, by the late Government, and the present Government, he thought, should follow in the footsteps of their predecessors. The instances cited, from the door-keepers upwards, showed that salaries had been dealt out to officials in the House of Lords with too lavish a hand. The salaries ought to be liberal both in the House of Lords and in the House of Commons; but they should be according to an approved scale. A pledge ought to be given by the Government that no new appointment would be made until the salaries had been re-adjusted. The whole question required investigating, for he did not think the arrangements in either House were what they should be. The time was coming when all these salaries should be put upon a proper basis, and when a general system of remuneration should be adopted. The fact that the House of Lords received higher fees in connection with private Bills than the House of Commons had nothing to do with the question, the great bulk of those fees being paid into the Exchequer. He should hesitate to vote for the proposed reduction, but desired to hear a distinct assurance from the Treasury that they contemplated considering all new appointments with a view to apportioning the salaries more equally.

*Mr. Hanbury*

\*MR. A. C. MORTON said, he had no doubt the Secretary to the Treasury had told them all he knew about the matter, and he therefore did not quarrel with what the right hon. Gentleman had said. Whether the money which went to pay the salaries of the officials of the House of Lords came from fees or anywhere else, it was all under the charge of the House of Commons, and the House of Commons had a right to see that it was properly expended. The right hon. Gentleman did not think the House of Lords officials were paid too much—

SIR J. T. HIBBERT : I said I thought the salaries were very high.

\*MR. A. C. MORTON : Then they ought to be reduced—or if they were not reduced the salaries of the officials of the House of Commons ought to be increased. He thought the Committee ought to go to a Division, if it were only as insisting upon this matter being dealt with in a regular system. He wished to say a word with regard to the Refreshment Department. In the House of Commons they supplied their own refreshments, he was told at a loss. In the House of Lords the Refreshment Department was let out to a contractor, whose business it was to sell the workmen about the building as much drink as possible, so that he might realise a profit. The contractor did not require a licence, and he supplied drink to the workpeople about the House throughout the period of the year when Parliament was not sitting, very much to the disadvantage of those workpeople. The policemen on duty could not interfere. He should be glad if the right hon. Gentleman the Secretary to the Treasury would speak to the right hon. Gentleman the First Commissioner of Works on this subject.

MR. BARTLEY : I have had no answer to my question.

SIR J. T. HIBBERT said, he would carefully consider the point raised by the hon. Member. If the House of Lords would agree to the appointment of a Joint Committee to consider the salaries of the officers of both Houses the Treasury would assent to it. Beyond that he could not commit either himself or the Treasury.

MR. R. G. WEBSTER hoped the Government would assent to the suggestion that no new appointments should be made before the whole question of these salaries was taken into consideration.

Question put.

The Committee divided :—Ayes 66 ; Noes 139.—(Division List, No. 98.)

Original Question again proposed.

MR. HANBURY said, he did not rise to move an Amendment, but to give notice of what he intended to do when the ordinary Vote came on. He thought the time had come when the services in the House of Lords and the House of Commons should be put practically on the same footing as other branches of the Civil Service. He knew there were distinctions that might be drawn between the services of officers in the House of Commons, which lasted only six months in the year, and those of officers in other Departments which lasted 12 months. But, granting these exceptions, he failed to see why service in the House of Commons and in the House of Lords should not be put on the same footing as the rest of the Civil Service. These Houses, and some of the Law Offices, were the last holes and corners where patronage had a foothold, and he thought that they ought, at any rate in the House of Commons, to set an example to the rest of the Civil Service. The House was anxious that the Civil Service should be purified from top to bottom, and conducted on lines common to all the Departments, and that there should be a regularised, systematic mode of promotion and appointment, and it was not wise, therefore, that the House of Commons should stand outside that scheme, and that its clerks should be placed on a totally different footing from those of the other Departments, with the exception of the House of Lords. He did not think the Civil Service Commissioners had anything to do with the officials of the Houses of Parliament. A clerk entered the service of the House of Commons without undergoing an examination. There were no definite rules governing his promotion, his salary, or the age at which he was to retire. All through the rest of the Civil Service, according to an Order in Council which

had been promulgated, Civil Servants were required to retire at the age of 65. In the House of Commons there was no such rule, and he was told that at present there could be no such rule, as an Act of Parliament stood in the way. But he thought that what was a good rule for the rest of the Civil Service ought to be a good rule for the House of Lords and the House of Commons. He did not think it was right that they should see men of over 70 filling posts in the Houses of Parliament which much younger men considered themselves entitled to. At present the service in the House of Commons was regulated by one of those very large bodies which ought to be obsolete, and which at one time were too common all over the Public Services. The service in the House of Commons was entirely in the hands of a large Committee, consisting of the Chancellor of the Exchequer, the Speaker, the Master of the Rolls, a half-a-dozen Judges, and half-a-dozen other public officials. It was ridiculous that any service in the world should be controlled by a body of that kind. He did not expect that the right hon. Gentleman the Secretary to the Treasury would give a definite answer now; but as they had been doing their best in past years to put the rest of the Civil Service on a proper footing, he trusted that steps would be taken to see that men in the service in the Houses of Parliament rose on a properly defined scale, and were retired and pensioned at a reasonable age. He would not press for a reply now; but he hoped the right hon. Gentleman would consult the Government with the view of bringing on the ordinary Estimates in about a fortnight. He saw the President of the Local Government Board smiling at the idea; but he hoped the Votes would be brought on in a week or two, because if it was the idea of the Government that, having got the Vote on Account, they need not bring on the real Estimates for some weeks, that was a reason for fighting the Vote to-night and to-morrow. He hoped that no such evil idea lurked in the mind of the Government. He would assume that the Estimates would be brought on again in a fortnight, and he hoped that when they were brought on the Committee would be told that the Govern-

*Mr. Hanbury*

ment could see their way to bring in a Bill dealing with this question, so that none of those refuges of jobbery and patronage should be left, and that all the services, including the Houses of Parliament and the Legal Offices, should be brought within the powers of the Civil Service Commissioners, and under the same rules. He would ask the right hon. Gentleman to promise that the matter should be considered before the Estimates were again brought on.

SIR J. T. HIBBERT: I appreciate the hon. Member's courtesy in giving me this notice of his intention to raise this question when the Estimates come on. He has dealt with us in a considerate manner. The subject shall receive consideration, and when the Vote comes on I shall be quite prepared to meet him.

DR. CLARK said that, in consequence of the Leader of the House having refused to give them information, or the means of obtaining information, as to the financial relations between England, Ireland, and Scotland, he was disposed to move to cut English and Irish salaries down to the Scotch level. Every office in England was much better paid than in Scotland, and as for Ireland, she had always been the spoilt child of the Treasury, and every office in that country was more highly paid even than in England. For the Home Office and subordinate Departments the amount voted for England was £102,000, which was a preposterous sum when they bore in mind that Scotland only received £11,000. If England received a proportionate grant to Ireland, the amount paid to her would be only £77,000. He should move to reduce the payment to England down to the Scotch level. The payment to Ireland was £44,000, and he should avail himself of every opportunity, also, of moving to reduce this Vote down to the Scotch level. He should not call attention to this subject at the present moment if he foresaw any other opportunity of discussing it. But in all probability the ordinary Vote would not come before them until August, or perhaps November or December. It was necessary for the Government to sacrifice either their big Bills, their Departmental Bills or Supply, and the late Government had set the example of

sacrificing Supply. They had been in the habit of taking two or three large Votes on Account, and then at the end of the Session the Estimates were run through in a lump, as many Votes being run through in one night as ought to occupy the Committee 10 nights. He protested against the refusal of the present Government to re-appoint the Committee appointed by the late Government to inquire into the financial relations between different portions of the United Kingdom. He was convinced that the result of the inquiry of such a Committee would be to show that Scotland was overtaxed, and that everything Scotch was underpaid. The Local Government Board in England received £165,000, in Ireland it received £135,000, and in Scotland only £8,000. They agreed four or five years ago that all these local Votes should pass away, and that in lieu thereof a portion of the Excise should be given. So far as England and Scotland was concerned these charges were taken off; but Ireland was in the happy position of getting a share both of the Probate Duty and the other duty. And that was the state of things in every direction, Scotland being unfairly treated all round. Here was a Liberal Government, forsooth, the great bulk of those who composed it being Scotchmen, and yet they absolutely refused to give a Committee which the late Conservative Government gave, and which sat once. ["No, no!"] Yes, it was three years ago. It sat one night immediately after the passing of the Appropriation Bill. The hon. Member who then represented West Belfast (Mr. Sexton) pressed the Irish case and they had a discussion, and they suspended the Standing Orders, so that the Committee might sit after the House was prorogued. There was one sitting, and one Return was presented, showing how much Ireland was overcharged. Now, however, in spite of the number of Scotch Members in the Government, this Committee was refused. The Committee was essential, in order that light might be thrown on this question of the financial relations between the three countries, and in order that they might discuss it thoroughly. If the Government were going to remain in their present position of refusing this

Committee, the proper course would be to discuss the matter in Committee of Supply and press it forward Vote by Vote. He would not divide the Committee on the present occasion, but he merely wished to tell the Government what to expect if they did not assent to the re-appointment of the Select Committee.

MR. HUNTER (Aberdeen, N.) thought some answer ought to be given to the observations of the hon. Member for Caithness. At an earlier period he had put a question to the right hon. Gentleman the Prime Minister asking whether he was prepared to re-appoint the Financial Committee which had been appointed by the late Government, and which had done some work, and the right hon. Gentleman had replied that at this moment he was not prepared to grant a Committee. He (Mr. Hunter), however, had not understood that the right hon. Gentleman took up the position that he refused during the currency of the present Session to appoint the Committee. Of course, so far as Ireland was concerned, she would not care to enter into the financial question at present; but to Scotland it was a question of most vital importance. There could be no question, on the figures that had been produced by the Treasury, that Scotland was overcharged by a very large sum per annum. The precise amount of that sum was, of course, a matter upon which different opinions might be entertained—

THE CHAIRMAN: Order, order! I do not see how this question arises on the Home Office Vote. It seems to me it would come more properly on the item for the Office of the Secretary of State for Scotland.

\*SIR E. ASHMEAD-BARTLETT (Sheffield, Ecclesall) said, he had a question to put to the Home Secretary on Vote 4. He had on two occasions asked questions as to the assault made on the Vicar of St. Anne's, Bermondsey, and the replies he had received had been of such an unsatisfactory character that he felt compelled to bring the matter before the Committee. This gentleman—the Rev. F. B. Walsh—attended an anti-Home Rule meeting at Bermondsey as an ordinary citizen on the 24th April.

He took no part whatever in the proceedings; he made no speech, and the greater portion of the meeting no doubt were not even aware of his presence. A very disorderly crowd, composed entirely of supporters of Her Majesty's Government, were gathered outside. Hon. Gentlemen opposite, if they knew something of the electoral proceedings in the South of London during the last election, and since, would realise what a disorderly crowd of that kind meant, because during the election in July there was a scene of unprecedented disorder and violence arranged—deliberately arranged and wire-pulled by the Radical managers in South London. The crowd in question was, undoubtedly, a repetition of what had taken place on a larger scale during the General Election. Gangs of rowdies marched from meeting to meeting and, acting under orders, broke up nearly every political meeting which took place on the Unionist side in the South and South West of London. Well, a most disorderly crowd was gathered outside the meeting attended by Mr. Walsh. They attacked people going into the meeting, throwing life preservers, bags of red ochre, and other dangerous missiles at them. Mr. Walsh left the meeting, and at its close was proceeding quietly in the direction of his home. He was followed by a portion of the crowd, was stoned and probably struck, and received the most serious injuries. He was confined to his room for upwards of a month and suffered extreme pain, whilst it was not too much to say that for a time his life was in danger. When he (Sir E. Ashmead-Bartlett) brought the matter to the attention of the Home Secretary (Mr. Asquith), the right hon. Gentleman replied with the easy *nonchalance* which he affected on these occasions. On neither occasion did he offer the slightest expression of sympathy to the victim of the outrage. The right hon. Gentleman thought he saw an opportunity of scoring off a political opponent, and, amid the cheers of his supporters, he said that the account which he (Sir E. Ashmead-Bartlett) had taken from *The Times* was exaggerated. He had put the question at the request of Mr. Walsh's relations, and after the Home Secretary's reply he received a letter from Mr. Walsh's wife,

*Sir E. Ashmead-Bartlett*

in consequence of which he put a second question, which embodied a description of the outrage as sent to him by Mrs. Walsh. It appeared that a stone struck the rev. gentleman first, and that on turning round to remonstrate he was struck in the eye with a stone which cut him to the bone. Blinded with blood, he staggered to the railings, when another stone struck him on the back of the head, rendering him unconscious, and he evidently had many blows because he had many bruises. Mr. Walsh said that "the street was filled with a howling mob." One would have thought that upon being asked a question, based upon Mrs. Walsh's letter, the Home Secretary would have moderated his previous tone and expressed some sympathy with the victim of the outrage. Not in the least. Speaking in his usual defiant tone, the right hon. Gentleman said he adhered in every particular to his former answer, which was founded upon a statement made by Mr. Walsh to the Superintendent at the time. The right hon. Gentleman added that some disorderly lads had thrown stones at Mr. Walsh. As a matter of fact, the persons who threw stones were not disorderly lads but full-grown roughs of the most violent and disorderly character. The right hon. Gentleman said it was uncertain whether the stones were thrown at Mr. Walsh or not. There was not the slightest doubt whatever that these ruffians followed Mr. Walsh and deliberately attacked him when they found him alone. The right hon. Gentleman denied that the street was filled with a howling mob. That was, however, the statement made by Mrs. Walsh, and made, without the slightest doubt, with Mr. Walsh's assent and concurrence. The fact was that a disgraceful, brutal, and unprovoked attack had been made by a political mob, consisting of supporters of the present Government, upon one of their opponents. There was not the slightest doubt that if an injury of that kind had been inflicted upon a supporter of the Liberal Party, and that the present Opposition had been in Office, the House and the country would have rung with the case for weeks and perhaps for months. He should not have pressed the matter on the present occasion had it not been for the tone adopted by the Home Secre-

tary. Up to the present moment, in spite of the brutality and cowardice of the attack and the great injuries which had been inflicted upon this unfortunate clergyman, not a single word or suggestion of sympathy had fallen from the representative of the Government. Admitting that the right hon. Gentleman's own description of the occurrence was accurate, it was still insufficient to support the statement that the account of the attack given in the first instance by *The Times*, and supported subsequently by Mrs. Walsh's letter, was exaggerated. The violence which had been used towards Mr. Walsh was but part of the system of carefully arranged, planned and paid for outrages, which were perpetrated at the last Election throughout the whole of South London. Member after Member, on the Opposition side of the House, would be able to give proof of the fact that it was perfectly impossible for an open Unionist meeting to be held in South and South-West London last July. The leaders of the outrages that took place were perfectly well known, and the gangs marched solidly from place to place. It was a very serious thing when that sort of terrorism and violence was allowed to prevail. This was not the first time that disorderly scenes had occurred in Bermondsey. It was bad enough when political violence took the form of disorder at public meetings; but when it developed into cruel, unprovoked, cowardly and most injurious assaults upon inoffensive individuals, it was certainly time for the Government to express sympathy with the victims of the outrages and to do their best to discover the perpetrators.

MR. BARROW (Southwark, Bermondsey) said, with regard to the speech just delivered, he had to say simply that he never had a ticket meeting at Bermondsey, and never had a disturbance at a meeting—indoors or out of doors. On the occasion referred to a meeting was held in the Town Hall, and the electorate were much excited by a speech delivered by the hon. Member himself—a speech, he was informed, which was calculated to provoke disorder. He had heard that the hon. Member had avowed that he would never appear there again.

\*SIR E. ASHMEAD-BARTLETT said, he could assure the Committee that every statement the hon. Member had just made was inaccurate. [*Cries of "Oh!"*] The meeting he addressed in the Town Hall, although a number of Liberals were present, was most orderly, and there was not the slightest disturbance. There was a violent mob outside the Hall before the meeting began. He challenged the hon. Gentleman to prove that there was disturbance in the Hall, or to produce a single sentence from his speech which was calculated to provoke disorder. It was quite possible the hon. Member might not be prepared to do that now; but he challenged him to do it any time in the future. [*Cries of "Order!"*]

THE CHAIRMAN: I must remind the hon. Gentleman that the question before the Committee is the conduct of the Home Secretary.

MR. BARROW said, he was glad the hon. Member had acknowledged that at a meeting attended by a number of Liberals there was no disorder, but perfect order, because on a previous occasion it was complained that it was hard to get a Tory meeting in the constituency. That could not be said again, for Liberals were willing the other side should be heard, and, as the hon. Member confessed, they listened to himself and his friends with order. He would ask the hon. Member how he reconciled his present with his previous statement. With respect to the Home Secretary's replies on the question of this attack, he had heard them, and he considered that they conveyed a fair representation of the facts as stated by the authorities of Bermondsey. The street was not crowded by a rabble; there were half-a-dozen boys who followed the rev. gentleman, and the police were unable to capture the boys who threw the stones. He was certain from all he had heard that there was no evil design; nothing but a spirit of mischief prevailed, and that was the infection from the excitement outside the Town Hall. The Home Secretary's answers were clearly adapted to the circumstances of the case, and he thought there was nothing more to be said.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): I think, Sir, the Committee has hardly had a more conspicuous instance of the abuse of an occasion of this kind, on which questions of general policy might fitly be raised, than that which we have just witnessed. The hon. Gentleman opposite (Sir E. Ashmead-Bartlett) has gone into the details of what, after all—though the result is a very lamentable injury, for which I have expressed my regret to the rev. gentleman—was nothing more than a street row. The hon. Gentleman, however, has not told us—and he must have been aware of it—in connection with his remarks, that I was not in Office last year, and was not then responsible for the conduct of the police. The responsibility rests on his Colleagues. There is considerable discrepancy as to the origin of this disturbance, and the hon. Gentleman has displayed much curiosity. Well, I know nothing of that. The information given to me by the police—and upon it I am bound to rely—is that the rev. gentleman was proceeding along the street, that he undoubtedly received two, or perhaps three, blows with stones, and he had in consequence suffered serious injury, and had been in bed for some time. I have intimated to the rev. gentleman, through his wife, my sincere sympathy with him, and my extreme regret that the occurrence should have taken place. It appears there was a meeting held in the Town Hall, at which the rev. gentleman spoke. I was not there, and I do not know. If the hon. Gentleman opposite thinks I should be brought to the Bar of the House he should tell us why. I am only saying what I have been told is the fact, according to the police, who are entitled to know, and who have reported to me. As I have said, a meeting was held in the Town Hall, over which the hon. Gentleman himself presided.

SIR E. ASHMEAD-BARTLETT :  
No.

MR. ASQUITH : Well, the hon. Gentleman was, at any rate, a very prominent figure. We have here the statement, not only of the police but of the rev. gentleman himself. Will the hon. Gentleman say that the statement made by

the rev. gentleman to the police is unworthy of credence? That statement was that when he was half-way down the street something struck him on the head, and on his turning round he was struck on the eye, as he believed, by a stone. He did not know that he was followed. There was nothing in the nature of a rescue, and he was not surrounded, nor was any one near him. He had no idea by whom the stone was thrown, and could give no further information. That is the statement of the rev. gentleman. The police state they were not in sight when the missile was thrown, but they came up subsequently, and assisted the rev. gentleman home. A boy was seen running away, and every endeavour was made to discover the offenders. To make assurance doubly sure, I had further inquiries founded on the suggestions made by the hon. Member, with the result that the police were of opinion that the suggestion that the street was filled with a howling mob, which followed the rev. gentleman, could not be true. The rev. gentleman did not know that he was followed until a stone struck him on the head, and the police found him leaning against the railings with no one near him. When the clergyman had gone a short way down the street, after coming out of the meeting, some boys threw stones—whether at him or not appears to be uncertain. The perpetrators ran away when the police arrived. The police assisted him to a doctor's, where the wound was dressed. I would ask the Committee, under these circumstances, what could I or the police do that has not been done in this case, and what possible ground of complaint is there against the authorities? I am very sorry the rev. gentleman has been injured, but I see no reason to believe that the boys who injured him attended the meeting. The suggestion is that they were a body of supporters of the Government, who, being worsted in argument, had taken the only revenge that was open to them by assaulting an unoffending clergyman with stones in the street. This was an ordinary street row; and while it is very much to be regretted that the police did not happen to be present at the exact moment when the stones were thrown—and that sometimes happens, unfortunately—yet, as

soon as they came up, they did everything they could to assist the victim of the outrage, and left no stone unturned to secure the offenders. I would, therefore, ask what possible justification there can be for occupying the time of the Committee, delaying the progress of business, and postponing the discussion of important questions of policy by this miserable controversy over the trumpery details of a street row?

MR. JAMES LOWTHER (Kent, Thanet) said, he would remind, with reference to his closing observations, the right hon. Gentleman that that House had always been regarded as the grand inquest of the nation, and that injuries to the persons and liberties of Her Majesty's subjects had not been considered beneath its notice. Hon. Members had had during the present Session very few opportunities of bringing grievances forward; and this was the only occasion since the lamentable occurrence took place on which it could be brought to the notice of the House. He was not going to detain the House; but he maintained that when an outrage took place in the Metropolis, and when one of Her Majesty's subjects was seriously injured, any hon. Member who had reason to become acquainted with the circumstances was only discharging his duty in bringing the matter before the knowledge of the House on the first opportunity that presented itself. He hoped the right hon. Gentleman would see that such an outrage did not take place again.

Mr. Macfarlane rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

THE MARQUESS OF CARMARTHEN (Lambeth, Brixton), on a point of Order, wished to know if he could, on this Vote, call attention to the growing practice of carrying revolvers; or whether he should wait until the Home Office Vote?

THE CHAIRMAN: The question would scarcely come under the heading of the Home Office Vote.

THE MARQUESS OF CARMARTHEN said, in that case, he would raise the question now. The usual answer of the Government on this question was that something would be done if the House would have patience. Meanwhile, men were being shot in the streets day after day. The Home Office issued a Circular to all Coroners asking for a Return of the fatalities caused by revolvers; but these Returns only included fatal cases; and there were many more where serious, but not mortal, injuries were inflicted. The evil was a great and growing one; and the remedy he would suggest—perhaps he was not in Order, but he would venture to say that a remedy might be applied by prohibiting gunmakers from selling revolvers to any persons except those who could produce a licence to carry them. The right hon. Gentleman the Secretary of State for the Home Department must be aware of the danger of this indiscriminate carrying of revolvers, and he ventured to hope that he would give the suggestion he had made full consideration, with the object, if necessary, of bringing in a practical Bill upon the subject.

MR. ASQUITH said, he recognised that the question was well worthy the consideration of the House; but it would be a dangerous precedent to discuss and criticise in Supply, not only what a Government had done, but also what it ought to have done. He did not, however, make any complaint of that. The question had been engaging his attention for some time. The noble Lord was wrong in supposing that the application for Returns of injuries inflicted by revolvers had been made only to the Coroners. The Home Office made a similar application to all the hospitals in the country. Of course, the information so obtained could not be complete; but it was so large and valuable that he and the Under Secretary (Mr. Herbert Gladstone) saw their way to frame upon it a working measure; and if the state of business would allow of it, and if the House were disposed to treat the Bill as non-contentious and non-controversial, he did not despair of effecting improvements in the law even in the present Session. He was as anxious to see something done as the noble Lord himself was.



\***MR. JOHN BURNS** (Battersea) said, he wished to raise a small but an important point. They in the House of Commons were under many obligations to the 80 or 100 policemen—members of the Metropolitan Force—who were in attendance in and around the Houses of Parliament. The duties of these men practically commenced when the House sat and ended when it rose; and during all that time they had to wear heavy tunics, heavy boots, and heavy helmets. He merely wished to put it to the right hon. Gentleman—

**THE CHAIRMAN** : I think this point might be raised on the Vote relating to the Metropolitan Police.

\***MR. JOHN BURNS** said, very well; he would raise it when that Vote was reached.

\***MR. HOWELL** (Bethnal Green, N.E.), on the Vote relating to the Foreign Office, said, he understood that an application had been made to the Argentine Government for the extradition of Jabez Spencer Balfour, and that the Argentine Government had expressed their willingness to give up Mr. Jabez Balfour provided the Government of this country under similar circumstances and conditions would surrender criminals. He considered that such an arrangement would be an equitable one, and would pave the way to an Extradition Treaty in the future. He felt it would be a disgrace if the Government did not use every effort to bring this man to justice, seeing that he was once a Member of that House, and a man who posed as a religious reformer, and obtained money from all classes. He had no personal interest in the matter, as he had not lost a penny through this man's dishonesty, and he never passed a word with him in his life; but he knew that hundreds and thousands had been reduced to almost absolute starvation by the defalcations of Mr. Jabez Balfour, and he felt it was the bounden duty of the Foreign Office to do everything in its power to see that he was restored to the hands of justice in this country. He was not accusing the Foreign Office of not having done their duty; he only wanted to know if they had taken all the steps possible for the purpose of restoring this man to

the bosom of his friends in this country. He was sure there were many besides those who had suffered very severely who would be only too glad to find Jabez Balfour once more on British ground to have justice meted out to him according to his deserts.

**LIEUTENANT-COLONEL LOCKWOOD** asked what had been done with regard to the £100 in respect of International Law promised to Third Secretaries? The hon. Baronet, when last this matter was mentioned, admitted that the Third Secretaries had been hardly treated, and expressed the hope that the question would eventually be arranged. He would like to know whether there was any prospect of these gentlemen being paid the sum to which they were fully entitled?

\***SIR E. GREY** said, the question raised by the hon. and gallant Gentleman had been the subject of very earnest consideration, and a decision was on the point of being arrived at which, he hoped, would be satisfactory to those concerned. With reference to the question of the extradition of Mr. Jabez Balfour, he could only repeat what he had already stated to the hon. Member for Bethnal Green in reply to questions put by him. When it was known that Mr. Jabez Balfour was in the Argentine Republic, application was made by the Foreign Office to the Argentine Government to surrender him to the Authorities of this country. The Argentine Government replied that in the absence of an Extradition Treaty they could not surrender him, unless Her Majesty's Government would promise to give reciprocity in a like case; but by British law they had no power to surrender foreigners unless they had an Extradition Treaty. The hon. Member had very fairly put the point when he said that the Argentine Government asked for reciprocity, and would Her Majesty's Government give it? He had no hesitation in saying the Government were ready to give reciprocity by the only means by which the English law allowed it to be given. Some years ago an Extradition Treaty with the Argentine Republic was actually signed, but the Argentine Republic were not prepared to ratify it. The Treaty was signed, and

was an expression of the desire of this Government for reciprocity in this matter; and as soon as the Argentine Government ratified that Treaty there was no doubt this country would be in a position to say they could guarantee reciprocity in the sense that the British law allowed them to do so. These being the facts, any reticence which occurred in reference to questions on the subject was occasioned solely by anxiety that in the interests of justice no more should be said than was absolutely necessary. He could assure the hon. Member that as far as their present powers allowed, or as far as the extension of future Extradition Treaties would permit them, no effort would be spared to bring to justice people guilty of such crimes as this, in whatever country they might have taken up their abode.

\*SIR THOMAS LEA (Londonderry, S.) desired to know whether there had been a considerable increase in the slave trade since this country had given up the right of search of slave dhows at Madagascar? He understood the hon. Baronet had stated that this right had been given up in consequence of the French Treaty with Madagascar, and since that answer had been given there was a strong feeling in some quarters that the Slave Trade was very much increasing in consequence of this right of search having been given up.

\*MR. GIBSON BOWLES said, the Under Secretary for Foreign Affairs was well aware that the right of search, which was purely a conventional right of search, was not allowed to be exercised over French vessels on the Coast of Madagascar; and, consequently, the Slave Trade on the Coast of Madagascar was at this moment being carried on under the French flag, without any power of interference by this country. That was exactly what would take place with regard to the liquor traffic in the North Sea, and the day would come when this country would bitterly regret having consented to that Convention which gave foreign cruisers the right to search British ships at sea. As to the question of the extradition of a former Member of that House from the Argentine Republic, he was no friend of Extradition Treaties; but if it were right

to ask that someone in a foreign country should be given up to us, was it not equally important to inquire whether this country had not persons in their power whom they had no right to have? Take the case of Arabi Pasha. He defied any hon. Member of that House to give him any ground or good authority or any good law under which Arabi Pasha was kept a prisoner by the power of England. Arabi Pasha had been exiled from his native country and had been located in Ceylon. He had again and again given promises of good conduct and asked to be restored to Egypt; but his demands had always been met by an absolute refusal. He invited the Under Secretary for Foreign Affairs to say under what rule of either the Law of Nations or the Municipal Laws of England Arabi Pasha was kept prisoner in Ceylon by the power of this country? There was another matter on which he wished for information. He had the honour of drawing the attention of that House some time ago to the Behring Sea question, and he pointed out several matters which were subsequently corroborated in the course of the arbitration proceedings at Paris. In case they came to a permanent and successful issue of the arbitration with the United States with reference to the part of the Behring Sea they claimed, they would have left untouched and undecided the far more serious matter of the remaining one-third of the Behring Sea which was exclusively claimed by Russia. He should like to know what arrangements had been made by this country with the Russian Government with respect to that one-third of the Behring Sea which was not covered by the arbitration proceedings in Paris?

COLONEL NOLAN (Galway, N.) said, he noticed by that morning's papers that private letters from Uganda were beginning to arrive, and he desired to ask whether the Under Secretary for Foreign Affairs expected any letters from Sir Gerald Portal, and would he promise to lay them on the Table of the House as soon as they arrived?

MR. LEGH (Lancashire, S.W., Newton) wondered that the hon. Member for Lynn could regard Arabi Pasha as a hero and a martyr. He had always looked upon Arabi as a sort of Oriental

Boulanger, at once tyrannical, cowardly and fanatical, and stupendously ignorant. What was his history? He started originally as a mutineer—

THE CHAIRMAN (interposing) said, it was not in Order to go into the history of Arabi Pasha. It did not arise in this Vote.

MR. LEGH said, he was anxious to say something against the proposal of his hon. Friend that further indulgence should be extended to Arabi Pasha. His contention was that there was nothing in his history to justify any clemency being shown to him. This was how Arabi Pasha started: He obtained high position—["Order, order!"]

THE CHAIRMAN: I do not think it is in Order to go into the character and history of Arabi Pasha. Anything which affects the Secretary for Foreign Affairs or the Foreign Office with regard to the present position of Arabi Pasha may be material.

MR. LEGH asked, was Arabi Pasha to be regarded as a martyr? It was admitted he was an exile; but the question was, whether he was an ill-treated exile? It appeared it was considered a grievance that this exile was domiciled in Ceylon. He had always been under the impression that the Island of Ceylon was a Mussulman paradise. What hardship, then, was there in a man being exiled to his own paradise? Arabi was in receipt of a pension of £300 a year; and if he had served his time and been a faithful subject and had been retired as a general officer, the question was whether he would have been receiving anything like such a pension? Had Arabi been separated from his relations? On the contrary; he understood Arabi resided in a kind of patriarchal splendour, surrounded by his wives and, for all he knew, by his sisters, his cousins, and his aunts; and here in this dignified seclusion he received the visits of itinerant politicians, who obtained his views probably on subjects such as Parish Councils and the prospects of bimetallism. He hoped that neither this nor any other Government would pay any attention to the appeals of his hon. Friend, and he hoped no consideration would be shown to Arabi Pasha in future.

*Mr. Legh*

MR. W. REDMOND (Clare, E.) asked whether, in answer to the hon. Member for Northampton, the Prime Minister had not stated that the matter of allowing Arabi Pasha to change his place of exile was under consideration of the Government and in all probability such a change would be allowed?

\*SIR E. GREY said, in answer to the hon. Member who had last spoken, he had not referred recently to the answer of the Prime Minister which had been mentioned, and his recollection of its terms was not exactly the same as the hon. Member's. His recollection was that the Prime Minister stated that the question of the domicile of Arabi and his companions was one which depended on large general considerations, and that he could not make any definite promise on the subject. In reply to the hon. and gallant Member for North Galway, he had to say that no news had yet been received from Uganda. Sir Gerald Portal was to arrive in Uganda towards the end of March. He thought it would take three months at least for a Report to arrive from Uganda, so that no Report could have been received yet. As to whether he would lay the communications from Sir Gerald Portal on the Table of the House, he thought in all cases the Government ought to have an opportunity of reading the documents before they were laid on the Table. He had not the least doubt that, as soon as Reports were received from Uganda, the House and the public would be made acquainted with the tenour of them.

COLONEL NOLAN inquired, would the hon. Baronet acquaint the House when the first Reports were received from Sir Gerald Portal?

\*SIR E. GREY said, there would be no objection in stating the fact as soon as Sir Gerald Portal had made a Report on Uganda. As regarded the territorial waters of Madagascar, the Protectorate which France exercised over Madagascar was recognised by the late Government some years ago. France signed the greater part of the Brussels Act, and the general purport of that Act was that the countries who signed it undertook in their own territories and in protected territorial waters the charge of suppressing the Slave Trade. With the

Protectorate of Madagascar France had undertaken the charge of the Slave Trade in the Protectorate waters of Madagascar, and, with the recognition of the Protectorate exercised by France, had gone the recognition of the obligation by France to take charge of the Slave Trade and suppress it in these territorial waters. As regarded Russia and the Behring Sea, he could assure the hon. Member for King's Lynn that Russia had not put forward any claim to territorial jurisdiction in the open sea. There seemed to be a distinction drawn between jurisdiction over the seals and jurisdiction over the sea. He could only say for the present that a provisional arrangement with Russia would, he hoped, be arrived at by which the seals should be protected on the Russian side of the Behring Sea, and no claim to that part of the sea had been put forward by Russia, so that the question of territorial jurisdiction did not arise, as far as Russia was concerned. A future permanent arrangement would no doubt depend upon the issue of the discussions now proceeding.

DR. CLARK said, the Natal Legislature had passed a Bill for the purpose of giving itself a Government, and he desired to know whether, before the Queen's sanction was given to the Bill, it would come before the House of Commons in the same way as did the Bill for giving responsible Government to Western Australia, or whether it would be dealt with by an Order in Council? If by the latter method, would the Government, before coming to a final decision, consider two classes in Natal who were practically outside the scope of the Bill? There were almost as many of our fellow-subjects from India as there were white men in Natal. These men came originally to work in the sugar plantations, but many had established themselves as merchants; and as they were content with a lower standard of comfort and lower profits than the white merchants, they were gradually cutting out the latter. Attempts were being made to put down this competition. As far as he understood, there was one Bill passed by the Legislative Council of Natal giving itself responsible Government; but as it proposed only one Chamber, it did not

meet with the approbation of the late Secretary for the Colonies, who wanted two, and the Colonial Office drafted a Bill which, he believed, was practically the Bill which had now been adopted by the Legislative Council. By this Bill the British Indians and the natives of Natal were not to be given the franchise which was enjoyed by the same classes in Cape Colony. Why was the Colonial Office going to permit Natal to have a more conservative policy regarding British Indians and natives than the Cape Colony? By the Bill it was proposed to maintain the so-called Native Law, and to make the Governor the supreme Chief. He protested against such a policy, which was simply shameful. If they were going to make any change at all, the natives should come under the same conditions as the present Cape Law, and should have the right of representation. He wished to know whether Parliament would have an opportunity of discussing the Bill, or whether the matter was to be decided by the Cabinet? As to the question of Zululand, there were three unfortunate prisoners in Natal—Cetewayo's brothers—and when they made a change, they would have to consider their position. If the Government policy was to be carried out at all, it must be carried out by men who were favourable to it and who were loyal to them, and not, as on a former occasion, by men who were bitterly opposed to it.

COMMANDER BETHELL (York, E.R., Holderness) said, he wished to ask a question with reference to quarantine at Malta. The way in which British subjects were treated under Quarantine Law there was a monstrous abuse. When a ship was put into quarantine, the passengers were sent to the quarantine establishment for considerable periods, ranging from a week to a fortnight. They were pitchforked into what might almost be described as a dirty hole, and were treated with the smallest consideration, and had to submit to blackmail. They had to provide their own food in the best way they could; and it was only by paying blackmail that they could obtain any convenience or comfort. The question had been brought before the Colonial Office over and over again. He knew that Malta was under Local Government, and that it

was difficult for the Colonial Office to interfere; but no doubt pressure could be brought to bear. He now raised it in Committee, in order that the hands of the Under Secretary might be strengthened in dealing with the matter.

**\*THE UNDER SECRETARY OF STATE FOR THE COLONIES** (Mr. S. BUXTON, Tower Hamlets, Poplar): We have no absolute power to insist upon any definite measure in regard to the quarantine at Malta; but something may be done by calling attention to the question, and in bringing as much pressure to bear on the authorities as we can. Such matters as these often get into a routine, if special attention is not occasionally called to them. I have already communicated with the Governor, and I hope that something may be done, now that public attention has been called to the subject, to improve the condition of the lazaretto at Malta. The Self-Governing Bill of Natal will not come before the House of Commons; it will be assented to by Order in Council. The measure passed is the exact Bill which the late Government insisted should be placed before the electors of Natal; and, being in the nature of a bargain, it can hardly now be altered; but when it comes before the Government, the question as to the natives and the Native Law affecting them will be carefully considered. The British Resident Commissioner in Zululand is about to retire on a pension, and all the questions connected with Zululand are receiving the best attention of the Government. They must necessarily, however, stand over until the successor of Mr. Osborn has been appointed. The successor of Mr. Osborn will not be connected with either of the two Parties in Zululand. He will go there with an open mind, and it is hoped that satisfaction will be felt by all those interested in Zululand when they learn what steps have been taken to arrive at a successor to Mr. Osborn. The Government hope that by the advice they will then receive they will be able to bring to an end the disputes which have brought so much injury on that unhappy country.

**MR. CONYBEARE** (Cornwall, Camborne) said, that the prolongation of the difficulties in Zululand had been more

due to Mr. Osborn's maladministration and want of tact than to any other cause, and he hoped that the Government would do their best to see that Mr. Osborn's successor was a man who would show more sympathy with the natives.

**MR. PIERPOINT** (Warrington) asked whether there was any hope that the inhabitants of Cyprus would be relieved of the great burden of the tribute paid not to the Porte, but by agreement to the British and French Governments in connection with the Guaranteed Loan of 1855? He should like to know under what agreement this money was paid over to France, and when the agreement came into existence?

**MR. CONYBEARE** was glad that this question had been raised, because he had raised it himself a year or two ago. He hoped they would have some explanation as to the arrangement which had been made.

**SIR W. HARCOURT**: I rather agree with the opinion which has been expressed as to the tribute being part of the terms under which this land of Cyprus was acquired by the English Government. It was agreed that a certain sum should be paid over to Turkey in return for the rights which Turkey had previously exercised over the Island. This was part of the arrangement made at the time of the Anglo-Turkish Convention, which has been in operation for some years, and I do not see any method by which we can interfere with it now.

**MR. CONYBEARE** thought there was some ground of complaint while this enormous sum was being taken away from the Island. Year after year, in the rainy season, lives were lost through the absence of bridges which ought to be built. He was not saying anything against the Ottoman Government. It was their business to make the best bargain they could. Several proposals had been made, but he thought the Island ought to be handed over to Greece, to which it properly belonged. He entered his protest against this outlandish arrangement being indefinitely continued to the prejudice of the islanders.

*Commander Bethell*

SIR W. HARCOURT appealed to the Committee to allow the Vote. The Report of the Vote must be taken to-morrow, and there must be a Royal Order to follow to enable certain payments to be made, which must be made on June 1. He hoped hon. Gentlemen would allow the Vote to be taken.

SIR J. GORST said, the right hon. Gentleman must be aware that there were some very important matters which ought to be discussed on the Vote on Account. On the former occasion when a Vote on Account was asked for, he had given notice that he would call the attention of the Committee to a new expenditure on the part of the Board of Trade in the creation of a Department of Labour. That expenditure was still going on, but it had received no sanction whatever from Parliament. The discussion on the former Vote on Account was closed before that item was reached, and probably, in the course of half-an-hour, the present discussion would be closed. Therefore, they would have an entirely new expenditure embarked upon the Board of Trade on a most important subject, and that expenditure would have gone on till the end of the Session without ever having been sanctioned in Committee of Supply. In these circumstances, he wished to ask the Chancellor of the Exchequer whether he would put down the Report on the Vote on Account as the first Order to-morrow, and thereby give the Committee an opportunity of sanctioning this new expenditure incurred by the Board of Trade? A few years ago the Chancellor of the Exchequer made some remarks which were exactly opposite to the present position of Committee of Supply. He would read them to the House as expressing the sentiments which animated hon. Gentlemen on his side of the House at the present moment. The right hon. Gentleman said—

“What we want before giving this Vote on Account is some assurance that Supply will be properly discussed. The plan of the Government is to get Supply as much out of the way as possible. It is but a mere question of Money Votes. It is a question of the control of administration, and, therefore, the object of the Government is to postpone and compress Supply into as small a space as possible. The most effective course, in my opinion, would be to diminish the Vote on Account by one-half and make it for one month only.”

Those being the sentiments of hon. Gentlemen on his side of the House, as well as of the Chancellor of the Exchequer, he would ask the right hon. Gentleman whether he would do one of two things? Would he diminish the Vote by one-half and take the Vote for a month only—and in that case he did not think there would be any difficulty about getting the Vote—or would he take that night the whole Vote for two months, and promise that to-morrow the Report of the Vote should be taken as the first Order of the Day, so that there might be an opportunity for discussion, and so that the expenditure of the Government might not be withdrawn altogether from Parliamentary control?

SIR W. HARCOURT: The Motion to which the right hon. Gentleman refers was not made by me, but was made by another Member, and it was resisted by the former Government, and resisted by a mechanical majority and defeated. However good the doctrine I then laid down may be, it was resisted by the right hon. Gentleman and his friends; they refused to be bound by it, and they gave up to Supply far less time than has been given to it this year. I must leave it to the Committee to determine whether they will take the course adopted previously. The instances will be found to be numerous in which a Vote on Account has not occupied more than one night. The present Vote has been discussed as if it were a Vote on the Estimates themselves; the discussions have been appropriate to the Estimates and not to a Vote on Account. A discussion on a Vote on Account is usually devoted to matters of urgency; but nobody can say that has been the character of to-night's discussions. Some of the speeches related to topics that arise in later Votes. I do not speak in any language of undue criticism of what has taken place, but I do wish to point out to the Committee that you cannot expect on a Vote on Account to discuss the subjects that are included in the Vote on Account, otherwise you would have what would be a double discussion upon the whole of the Estimates which cannot be so dealt with. It has not been the practice in former Parliaments, and the occasions

have been rare on which the Vote on Account occupied more than a single night.

SIR JOHN GORST: After the speech of the right hon. Gentleman I must continue until such time as the Government think fit to close the discussion. I had given notice to move the reduction of an item in respect of the Board of Trade and subordinate Departments by £500, my object being to call the attention of the Committee to the new departure which the Board of Trade have taken. What the Board of Trade have done has not been of a very extensive character. They have a Department in the Board of Trade which was called a branch of the Statistical Department of the Board of Trade which related to the question of labour, and upon this was spent the very meagre sum of £10,000. What the Board of Trade has done is to increase by 50 per cent. the expenditure on this Statistical Department. I always thought the Department very much starved, and, as far as the increase in the staff of the Department and in its functions go, I think everybody will agree that the conduct of the Board of Trade was reasonable and proper. In fact, I should be prepared to go so far as to praise what had been done by the right hon. Gentleman; but I am afraid my vocabulary would not be strong enough to satisfy his ideas of the praise due to this Department. I, therefore, leave him to praise his own Department in his own terms. There are three things I complain of. The first objection I make is of the name the right hon. Gentleman has given to this new Department. He called it a Labour Department. The right hon. Gentleman knows "what's in a name" much better than the inexperienced Juliet. He is rather of the opinion of Mephistopheles that men have a propensity, when they hear a mere name, to believe there must be something of reality behind it. So the right hon. Gentleman paints up "Labour Department of the Board of Trade" in Parliament Street, and he knows very well that nine people out of ten will believe that a Labour Department of the Government has been created, and that they will give him the credit of being the creator of it. To

*Sir W. Harcourt*

us, who for many years have advocated the creation of a Labour Department of the Board of Trade, this is not altogether satisfactory, because the creation of a sham Department is a real and serious obstacle to the creation of a real Department. What a real Department of Labour requires is certainly Executive power. Now, this Department is nothing but a Statistical Department—a Department of pure inquiry, pure record, and possesses no Executive power whatever. It does not concentrate all the different functions which the Government exercise in reference to the industry of the country under the hands of one Minister in one Department. The responsibility of Parliament is single and undivided. Of course, at this hour of the night, with the Closure imminent in 20 minutes, it is impossible for me to do justice to the position which I wish to take up. I cannot explain in so short a time what a real Labour Department ought to be; therefore I can do little more than say that the Department of the right hon. Gentleman is a sham Department of Labour, and expose myself to his contradictions and his jeers. That is my first objection—that the right hon. Gentleman has given to this Department a name which is a sham and deceptive name, and which is an obstacle to the real thing which we all desire to see established being hereafter established. If he had instituted a real Department of Labour, I would have been the very first to have expressed my admiration of his statesmanship and conduct; but I do think, if there was not time and leisure to create the real thing, it is a great pity he should have taken refuge in the establishment of a mere sham. The second objection I have to what the right hon. Gentleman has done is that he has entirely ignored and has attempted to supplant the operations of the Royal Commission on Labour. The Royal Commission on Labour had the advantage of obtaining the assistance of a very valuable Secretary; and under that Secretary, during the last two years—as the Secretary to the Treasury knows—at very considerable expense there has been created an office, admirably organised, which has collected statistics and evidence respecting labour, not only in this country, but in every part of the

world. If anybody wanted an example of the efficiency of this Department they could not do better than see the Blue Book which was issued just before Whitsuntide, giving an account of the conditions of labour all over the world, and of the migration of labour from one country to another. If hon. Members had read that admirable production they would have seen that not only was the right hon. Gentleman the President of the Board of Trade incorrect when he said that the Labour Commission had only touched the American fringe of the question, but they would see that his own Commission, which he had sent out to do over again the work already admirably done by the Secretary to the Labour Commission, was only touching the fringe itself, because his inquiries are confined to the United States of America, whereas the Blue Book gives information about the migration of labour in every part of the world; and, as giving an exhaustive account of the position of labour, it deserves a somewhat better recognition from the President of the Board of Trade. But that is not all. This new Statistical Department of Labour is feeding itself from the Labour Commission. It is possessing itself of all the information which has been obtained by the Labour Commission; and, more than that, the right hon. Gentleman is tempting the clerks and officials of the Royal Commission on Labour, who have not yet completed their task, to leave the work of the Royal Commission in order to take service in the Labour Department of the Board of Trade, and thereby very seriously crippling work of that description. Of course, any persons who have been employed and trained in the Royal Commission on Labour have a much better prospect of permanency in the service of the Board of Trade than in that of the Labour Commission, and I know the work of that Commission is being crippled, because the right hon. Gentleman is tempting the officials of that Commission to leave their employment and take service under the Board of Trade. The third complaint I have to make as to the action of the Board of Trade in this matter is in respect to the selection of labour correspondents. I am quite willing to give

the right hon. Gentleman every credit for having selected his labour correspondents without regard to political considerations. Unfortunately, I should say that a large proportion of the leaders of the working classes of this country are Gladstonians, and I am afraid a great proportion of them prefer the interests of Party to the interests of labour; and therefore I am not surprised—it is natural—that if the right hon. Gentleman selected them without regard to any political considerations he would find the great majority of those who were selected were supporters of his own Party. But that is exactly the mode of selection which is complained of in the Lords Lieutenant of counties; and when the Lords Lieutenant of counties selected without regard to political considerations, and it was found that the great majority they selected were opponents of the present Government, their conduct was denounced and decried, and if you are going to make a proper apportionment in the Magistrates you ought to be equally careful you make a proper apportionment of the correspondents you appoint throughout the country. I go further. I do not know who advises the right hon. Gentleman in the selection of correspondents; but in some instances not only are they supporters of the present Government, but most violent political partisans, and their knowledge—if they have any—of the conditions of labour throughout the districts in which they are appointed is derived from their having gone about agitating and making speeches on behalf of the present Government, and they are really not labour correspondents. They are Radical correspondents in the interests of the Government. Their appointment is really a method of subsidising agitators, and paying them for going about the country, particularly in the rural districts, for the purpose, not of giving reliable information upon the subject of the condition of labour, but of propagating opinions in favour of the present Government. I cannot help expressing my regret that a matter which might have been treated as one of no particular character whatever should have been made by the right hon. Gentleman of so extremely partisan a character, and that he should have in so barefaced a manner attempted to make



political capital out of what professed to be, and what ought to have been, a general movement of no political character in favour of the workers of this country. He might have extended his Statistical Department of the Board of Trade with the greatest possible advantage, and everybody would have supported him. Why was it necessary, in the first place, to pretend to establish a Labour Department which the Government are not yet prepared to establish; and why should he have crippled the operations of the Royal Labour Commission, of which he himself is an officer—and which, out of loyalty to the body he belonged, he should have supported—and why in the employment of this Labour Department should he have appointed political agitators in the rural districts instead of men who could have really given him accurate information?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): I shall only occupy the five minutes which have been left to me to reply to the right hon. Gentleman, not on the direct defence of the Labour Department, but by a defence of the appointment of correspondents, because that is the main allegation in the case of the right hon. Gentleman. He says that, with respect to these correspondents throughout the country, I have practically been subsidising agitators. Now, Sir, he complains of the selection of these so-called agitators. The subsidising of the whole of the correspondents amounts to £500 a year. It ranges from no payment whatever—some of them are honorary—then to £10 the lowest to £20 the highest. It is an appointment, not for life but for pleasure, and can be terminated at any moment. These correspondents are appointed solely because of their ability to supply useful information for the benefit of the working classes, and they are not selected by me, although I take upon myself all the responsibility for the appointments. They have been selected in the most careful manner by the Controller, the Labour Commissioner, and Mr. John Burnett, the Chief Labour Correspondent, in conjunction with my hon. Friend the Member for Morpeth.

*Sir John Gorst*

They have gone through these four hands, and have received the approval of these four gentlemen before they came to me for consideration. I know nothing of the politics of any man of them. There is only one with whose politics I am at all acquainted. In the case of the Chief Correspondents, the second I appointed was a life-long Conservative—the one who is in receipt of £300 a year. His name is well known; but it is a good appointment, and was made solely on the ground of the fitness of this gentleman. With respect to the local correspondents and their small stipends, I say these men will do splendid service for it, and the best evidence of this can be found in *The Labour Gazette*, the first number of which has been issued and criticised as a most impartial journal by all the Conservative papers, and by none more than the leading Tory papers of London. And yet the right hon. Gentleman comes forward and abuses these appointments and says we are subsidising agitators. I think nothing further need be said on this branch of the subject. As an answer to what the right hon. Gentleman said in disparagement of the Labour Department let me just call his attention to the language of one of his Leaders. Here is a speech delivered to the working men of Liverpool by the noble Lord the Member for South Paddington. This gives an estimate of the work that has been done and is being done by the Labour Department, and the only mistake is that he attributes to a Conservative Minister this Labour Department. Here is what the noble Lord says—

“I would also remind you, in recalling the record of the attitude of the Tory Party towards the labour interest—I think it ought to be remembered—that the connection between Government and the labour interest which now exists was first made close and direct by a Tory Minister.”

SIR JOHN GORST: The noble Lord withdrew that.

MR. MUNDELLA: No; he did not withdraw the statement about the Labour Department, but he withdrew the statement attributing it to the wrong Minister. Let us see what the noble Lord goes on to say—

“It was my right hon. Friend Sir Michael Hicks-Beach—[*Cheers*!—] when he was President

of the Board of Trade, who established the Labour Bureau, which undoubtedly at once got the confidence of the Labour Party in England; and he appointed, if you recollect, as good a representative of the Labour Party as could be selected in the person of Mr. Burnett, and he also instituted *The Board of Trade Labour Gazette*, which is published officially by the Board of Trade, and gives to all labour organisations the most authentic and the most valuable official intelligence as to the state of the demand for labour in various localities, as to the state of the markets, and as to other questions deeply affecting the working man."

I appeal from the right hon. Gentleman the Member for Cambridge University to the noble Lord the Member for South Paddington. I leave it where the noble Lord left it, and when we come to discuss these Estimates in Supply I shall be able to give a full and complete answer to the right hon. Gentleman.

Mr. Chancellor of the Exchequer rose in his place, and claimed to move, "That the Question be now put."

THE CHAIRMAN said, that he would put the Motion in the interests of the Public Service.

Question put, "That the Question be now put."

MR. BARTLEY, sitting and with his hat on, said: I think you ruled, Sir, that you would put the Closure on account of the exigencies of the Public Service.

THE CHAIRMAN: I did not rule at all upon the matter. I simply stated my reason for putting the Motion.

MR. BARTLEY: Do I understand, Sir—[*Cries of "Order!"*]

THE CHAIRMAN: Order, order!

The Committee divided:—Ayes 192; Noes 124.—(Division List, No. 99.)

Original Question put accordingly, and agreed to.

It being after Midnight, the Chairman left the Chair to make his report to the House.

Resolution to be reported To-morrow.

Committee to sit again upon Wednesday.

#### LAND TAX COMMISSIONERS' NAMES BILL.—(No. 164.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BARTLEY: I object.

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) said, he would appeal to the hon. Member to allow progress to be made with this Bill.

MR. BARTLEY: Not after what has happened—not after the application of the Closure in that way.

MR. HANBURY: The right hon. Gentleman need not expect to get Bills pushed through in this way.

Second Reading deferred till Thursday.

#### STATUTORY RULES PROCEDURE BILL.

(No. 162.)

##### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. GIBSON BOWLES objected.

SIR A. ROLLIT (Islington, S.) said, the measure had passed the House last Session, and he hoped it would now be allowed to go into Committee.

MR. GIBSON BOWLES said, he really must object to Bills being smuggled through the House at that late hour.

Committee deferred until To-morrow.

#### NEW LICENCES (IRELAND) BILL.

(No. 94.)

##### COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

\*MR. GIBSON BOWLES objected, and said Bills should not be passed in that manner.

Committee deferred till To-morrow.

#### TRADE DISPUTES (ARBITRATION AND CONCILIATION) BILL.—(No. 129.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR JOHN LUBBOCK (London University) said, he hoped the Bill would be allowed to proceed. It had the approval of the Trades Unionists, and was approved by all sections in the City of London, and it would be a great hardship to delay it.

MR. GIBSON BOWLES objected.

Second Reading deferred till Friday.

#### EARLY CLOSING BILL.—(No. 357.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR J. LUBBOCK said, the House had had a discussion on this question a short time ago, and he did hope that the Bill would not be opposed on its Second Reading that morning.

MR. BARTLEY said, he would support the right hon. Gentleman in this matter, and he hoped his hon. Friends would allow the Bill to pass, the question not being a Party one, as early closing was a matter in which they all, every one of them, took great interest.

THE MARQUESS OF CARMARTHEN said, he would agree to the passage of the Bill if the right hon. Gentleman the Member for the London University would agree to its being referred to a Committee before which counsel could appear—not a Select Committee before which counsel could not appear.

\*MR. GIBSON BOWLES said, he really must object to the Bill being read a second time. He objected to all Bills being smuggled through the House.

Second Reading deferred till Friday.

#### IRISH POLICE ENFRANCHISEMENT BILL.—(No. 275.)

##### SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. T. M. HEALY (Louth, N.): I object.

COLONEL HOWARD VINCENT (Sheffield, Central) said, he would appeal

to the hon. Member not to press his objection.

MR. T. M. HEALY: I object, Sir.

Second Reading deferred till to-morrow.

#### SUPPLY—REPORT.

Resolutions [19th May] reported.

#### SUPPLY—CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

##### CLASS I.

1. "That a sum, not exceeding £283,923, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, for the Customs, Inland Revenue, Post Office, and Post Office Telegraph Buildings in Great Britain, including Furniture, Fuel, and Sundry Miscellaneous Services."

2. "That a sum, not exceeding £170,232, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1894, in respect of sundry Public Buildings in Great Britain, not provided for on other Votes."

Resolutions agreed to.

#### WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March, 1894, the sum of £9,543,243, be granted out of the Consolidated Fund of the United Kingdom. —(*Sir John Hibbert.*)

Resolution to be reported To-morrow.

Committee to sit again upon Wednesday.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.—(No. 288.)

Read the third time, and passed.

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 9) BILL.—(No. 330.)

Read the third time, and passed.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 1) BILL.—(No. 310.)

Read the third time, and passed.

#### PIER AND HARBOUR PROVISIONAL ORDERS (No. 2) BILL.—(No. 328.)

Read the third time, and passed.

House adjourned at twenty-five minutes after Twelve o'clock

## HOUSE OF LORDS,

*Tuesday, 30th May 1893.*

Several Lords—Took the Oath.

LONDON STREETS (REMOVAL OF GATES,  
&c.) BILL.

## THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3<sup>a</sup>."  
—(*The Earl of Morley.*)

THE EARL OF FEVERSHAM asked the noble Lord the Chairman of Committees if he would consent to postpone the Third Reading for a week to afford an opportunity for discussing the provisions of the Bill at a meeting of the inhabitants of Belgravia to be held on the 3rd of June. Attention had not, in fact, been called to the Bill before it reached the 'Committee stage' in their Lordships' House, and, under the circumstances, it was desired that an opportunity should be afforded of considering the measure before it passed the final stage. The Bill affected all bars throughout Belgravia, and gave no compensation whatever, unlike the other cases in which bars had been removed.

THE CHAIRMAN OF COMMITTEES (*The Earl of Morley*) said, the noble Lord was somewhat late in opposing the Bill at its last stage. It had been before Committees of both Houses of Parliament, unopposed, he understood, by the inhabitants of the Belgravian district, and it was now somewhat late to bring opposition to bear against it. He would ask the noble Lord whether it was worth while in the circumstances to oppose the Third Reading of the Bill.

THE EARL OF FEVERSHAM said, that it was not known exactly what the Bill contained, and great opposition was raised against it. The extraordinary point was that so important a measure should have gone through its various stages without anybody knowing anything about it.

\*THE EARL OF BELMORE said that, though the Bill had been opposed before the Committees of both Houses, in the House of Lords the opposition was confined to a few bars. The Duke of Portland had opposed the Bill in the House of Commons, but not in this House; whilst the Duke of Westminster had not appeared, nor had Earl Cadogan. The only parts which were opposed in their Lordships' House were those relating to Bryanston Square, Prince's Gardens, Shepherd's Bush, and in Doughty Street, where opposition was offered by the Holborn Local Board, because something had been done in the House of Commons behind their back after they had withdrawn their opposition upon the merits of the case. The Committee passed the Bill with only one Amendment in the case of the last-mentioned bar; but they had not before them the question of the Belgravian bars, as to which there was, therefore, nothing for them to decide upon. It would be very unusual for the Bill to be postponed at this stage, and, indeed, it was difficult to see what could now be done if it were. Their Lordships would hardly be likely to re-commit the Bill, even were the Third Reading postponed.

THE EARL OF FEVERSHAM moved the postponement of the Third Reading.

THE EARL OF MORLEY pointed out that it was quite impossible for opposition to be taken to the Bill at the present stage, and that it was not likely that the House would re-commit it. Full notice was given of the intention to bring in the Bill, and anybody who desired to oppose it had the opportunity of going before the Select Committee. The House would hardly listen now at the last stage to any opposition which was not offered there, and it seemed hardly worth while to further postpone the Bill.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (*The Earl of Kimberley*): My Lords, I cannot help saying a few words in support of the noble Lord. Here is a Bill which has been through all its stages, and ample opportunity has been given for opposing it. At the last moment opposition is offered. It is too late for us now to postpone the Bill with the view of in some way or other altering it or throwing it out. To do so would, it seems to

me, be open to great misconstruction, and I do not think there is sufficient reason for it.

Motion agreed to ; Bill read 3<sup>a</sup>, with the Amendments, and passed, and returned to the Commons.

#### THE SCOTTISH EDUCATION CODE.

##### QUESTION. OBSERVATIONS.

\***LORD BALFOUR:** My Lords, I desire to ask the Lord President of the Council a question of which I have given him private notice. A Minute of the Scottish Education Department relating to secondary education in Scotland was laid on the Table of both Houses of Parliament on May 1. The Minute had, as stated in the last paragraph, to lie on the Table for 30 days, but of this number 14 days have been absorbed by the holidays. During the first 16 days the contents of the Minute had not become very widely known in Scotland, but since that time and during the Recess a great deal of opposition to it has gathered ; and the question I wish to ask the noble Lord, without raising any controversy on the subject at the present time, or in any way going into the merits of it, is whether the Government will allow the Minute to lie a few days longer in order that the provisions of the Minute may be fully considered ?

**THE EARL OF KIMBERLEY:** I am glad to inform the noble Lord that we are quite ready to allow the Minute to lie on the Table until June 8.

**LORD BALFOUR:** Then I shall move on that day that a humble Address be presented to Her Majesty praying that her consent may be withheld from the Minute of the Education Department relating to Scotland, dated the 1st May, 1893.

#### ELEMENTARY EDUCATION (RELIGIOUS INSTRUCTION) BILL [H.L.].—(No. 52.)

##### COMMITTEE.

**THE BISHOP OF SALISBURY,** with the permission of the House, postponed this stage of the Bill until Thursday next, the Amendments proposed not having yet been circulated.

#### ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (CHISWICK, &c.) BILL [H.L.].—(No. 53.)

Committed to a Committee of the Whole House on Thursday next.

*The Earl of Kimberley*

#### MADRAS AND BOMBAY ARMIES BILL

[H.L.].—(No. 66).

Reported from the Standing Committee, with Amendments : the Report of the Amendments made in Committee of the Whole House and by the Standing Committee to be received on Thursday next ; and Bill to be printed as amended. (No. 107.)

#### METROPOLITAN COMMONS PROVISIONAL ORDER (ORPINGTON) BILL.

(No. 32.)

Read 3<sup>a</sup> (according to order), and passed.

#### WOMEN'S SUFFRAGE BILL [H.L.]

A Bill for extending the right of voting at Parliamentary, municipal, and county council elections in the United Kingdom to duly qualified women—Was presented by the Lord Denman ; read 1<sup>a</sup> ; and to be printed. (No. 109.)

#### NORTH SEA FISHERIES BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 110.)

#### TREASURY CHEST FUND BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 111.)

#### WEIGHTS AND MEASURES BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 112.)

#### LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDERS (No. 3) BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 113.)

#### LOCAL GOVERNMENT PROVISIONAL ORDER (HOUSING OF WORKING CLASSES) BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 114.)

#### LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 4) BILL.

Brought from the Commons ; read 1<sup>a</sup> ; to be printed ; and referred to the Examiners. (No. 115.)

**LOCAL GOVERNMENT PROVISIONAL  
ORDERS (No. 9) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ;  
to be printed ; and referred to the Ex-  
aminers. (No. 116.)

**PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 1) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ;  
to be printed ; and referred to the Ex-  
aminers. (No. 117.)

**PIER AND HARBOUR PROVISIONAL  
ORDERS (No. 2) BILL.**

Brought from the Commons ; read 1<sup>a</sup> ;  
to be printed ; and referred to the Ex-  
aminers. (No. 118.)

House adjourned at a quarter before  
Six o'clock, to Thursday next,  
a quarter past Ten o'clock.

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**HOUSE OF COMMONS,**

*Tuesday, 30th May 1893.*

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**QUESTIONS.**

**THE IRISH COUNTY MAGISTRACY.**

**MR. P. A. M'HUGH** (Leitrim, N.) :  
I beg to ask the Chief Secretary to the  
Lord Lieutenant of Ireland when he pro-  
poses to make his statement promised on  
the 1st May as to the whole system of  
the appointment of County Magistrates  
in Ireland, and the action which the Lord  
Chancellor will be prepared to take ?

**THE CHIEF SECRETARY FOR  
IRELAND** (Mr. J. MORLEY, New-  
castle-upon-Tyne) : The only statement  
which I think it useful to make is that  
the Lord Chancellor, acting on precedent  
set by some of his predecessors in Office,  
and confirmed by Resolution of this  
House of May 5, has prepared a list of  
additional Magistrates for counties with-  
out the recommendation of the Lieutenants  
of these counties. Some of these lists  
—including that affecting the county  
which the hon. Member represents—will  
be published in the course of a day or  
two.

**THE ANALYSIS OF STALE MILK.**

**LORD GEORGE HAMILTON** (Mid-  
dlesex, Ealing) : I beg to ask the  
President of the Local Government  
Board if his attention has been directed  
to the following paragraph in a letter  
addressed to Dr. Bell, the Principal of  
the Inland Revenue Laboratory, Somer-  
set House, by the Society of Public  
Analysts, in September, 1892, and signed  
by 119 members of the Society, includ-  
ing nearly all the public analysts in the  
United Kingdom, in which they state  
that they have long observed with regret  
the practice of certifying, in a manner  
liable to be interpreted by the Court as  
definite, on samples of milk which have  
been kept for a considerable time, and  
which, therefore, when examined, must  
have been in such a condition as to pre-  
clude any trustworthy opinion being  
formed respecting their original composi-  
tion ; also that the formation of any  
reliable opinion is in a great many cases  
impossible under such circumstances  
owing to the very irregular character of  
the changes milk undergoes on keeping,  
and, therefore, express a hope that in  
future it will be clearly stated in all  
certificates that owing to decomposition  
it is impossible to obtain analytical  
results comparable in point of accuracy  
with those yielded by the milk when it  
was fresh ; and whether there is any  
objection to directions being given to  
Dr. Bell to comply with this request,  
especially if the practice complained of  
has led in any instances to failure of  
justice ?

**\*THE PRESIDENT OF THE LOCAL  
GOVERNMENT BOARD** (Mr. H. H.  
FOWLER, Wolverhampton, E.) : I have  
been in communication with the Board of  
Inland Revenue on the subject of the  
question, and I am informed that the  
statements contained in the paragraph  
cited must not be accepted as representing  
the facts connected with the analysis of  
milks referred to Somerset House by  
directions of the Magistrates. No  
analysis of a sample is undertaken if  
found in a condition which does not allow  
of a trustworthy opinion being formed  
respecting its original composition ; and  
there are no valid grounds whatever for  
believing that any instances of failure of  
justice have arisen through the evidence  
contained in the certificates of analysis

furnished to Magistrates under the Sale of Food and Drugs Acts by the chemical officers of the Board of Inland Revenue. In this connection it may be observed, with respect to the samples of milk referred by the Justices in disputed cases and analysed during the year ended March 31, 1893, that, of 26 alleged to contain added water, in only two instances did the Somerset House analysts come to the conclusion that no water had been added, and that, of 12 samples alleged to have been deficient in fat or cream, in only one instance were they of opinion that the fat was not deficient.

#### HALF-PAY COLONELS.

**MR. PENROSE FITZGERALD** (Cambridge) : I beg to ask the Secretary of State for War whether Colonels in the Army on being placed on half-pay are at once informed if it is decided not to offer them further employment ; and whether the absence of intimation to that effect indicates that they will be offered further employment ?

**\*THE SECRETARY OF STATE FOR WAR** (Mr. CAMPBELL-BANNERMAN, Stirling, &c.) : It is optional with Colonels and Lieutenant-Colonels who have completed their period of regimental command to accept the retired pay to which they are entitled, or to go on half-pay on the Active List. If they accept the latter alternative they take their chance with others for employment as it offers. They are aware that their names are recorded for consideration, and in some instances it is intimated to them that their chances of employment are very remote.

**MR. PENROSE FITZGERALD** : I should like to recall to the memory of the right hon. Gentleman words used in February, 1891, by his predecessor to this effect—

"We all recognise the injustice of retaining such officers on half-pay unless, in the opinion of the Authorities, they have a reasonable prospect of obtaining employment. We think it right that they should be informed of what their prospects are."

I hope the right hon. Gentleman will bear those words in mind.

**\*MR. CAMPBELL-BANNERMAN** : I will consider the matter, but I may point out that the words "reasonable prospect" are somewhat elastic.

*Mr. H. H. Fowler*

**SIR FREDERICK SEAGER HUNT** (Marylebone, W.) : I beg to ask the Secretary of State for War whether, with reference to his statement to the effect that the Government have thought it desirable to make some addition to the pay of Colonels on half-pay during their period of suspended animation, he is now in a position to inform the House what addition it has been decided to make ; and whether the additional payment will take effect from the commencement of the present financial year or from a prior date ?

**\*MR. CAMPBELL-BANNERMAN** : It is intended to increase the half-pay of the officers in question to £300 per annum. This increase could not take effect before April 1 of this year.

#### OUTRAGES IN KERRY.

**MR. SMITH-BARRY** (Hunts, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the house of a widow near Currans, County Kerry, was attacked by armed and disguised moonlighters on the 15th ultimo, and several shots fired into the house ; that the house of a farmer named Flynn, also near Currans, County Kerry, was attacked on the night of the 14th instant by armed and disguised moonlighters, and several shots fired into the house ; and that on the night of the 15th instant six cows, the property of Mr. McMahon, a farmer, of Castle Farm, near Currans, County Kerry (the place at which Curtin was murdered in 1886), were brutally stabbed and mutilated ; whether any persons have been made amenable for these offences ; and whether, having regard to the serious crime in the locality, any special steps will be taken to assist the law ?

**MR. J. MORLEY** : I am informed that the house of Mrs. Cronin, of Cragg, near Currans, was entered by an armed party of four or five men on the night of April 15, and that a revolver was pointed at her by one of the party ; but no shot was fired. Two arrests have been made in connection with this outrage, and the men so arrested are under remand in custody and will come up for trial at the next Quarter Sessions. The house of James Flynn, near Currans, was fired into on the night of the 13th instant by a party of three men, one of whom was armed, but none were disguised. Flynn

has fully identified two of the party, both of whom have been arrested and remanded. The motive in this case possesses no agrarian element. With regard to the outrage on the cattle of Mr. McMahon, I pointed out, in reply to a question addressed to me yesterday by the hon. Member for South Tyrone, that three cows, not six, had been maliciously cut on the 8th instant, and that the cuts were merely skin deep. No person has been made amenable for this last-mentioned offence, which is not agrarian in origin. It will thus be observed that of the three outrages referred to in the question arrests have been made by the police in connection with two cases, and these the more serious. It is quite true that there has been an increase of moonlighting outrages within the area defined by me yesterday as comprehending small portions of Kerry, Limerick, and Cork. The authorities report that there is no cause for anxiety.

MR. MACARTNEY (Antrim, S.): May I ask whether the accused men will be tried within the disturbed area?

MR. J. MORLEY: I cannot say. The trials will take place at the place where they usually do.

MR. SEXTON (Kerry, N.): What is the proportion of the disturbed area to that of the three counties within which it lays?

MR. J. MORLEY: Of Kerry about one-fifth; of Cork much less—probably one-eighth; and of Limerick about one-fifth.

#### CIVIL SERVICE AGE LIMIT.

MR. MACDONALD (Tower Hamlets, Bow): I beg to ask the Secretary to the Treasury if he will explain on what grounds the Lords of the Treasury have, in reply to a recent Memorial, removed the age limit to 50, which had previously been laid down as the maximum beyond which approval to nominations to promotion to the rank of abstractor or assistant clerk had been refused, and substituted a limit of 60 years?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The Treasury have altered the limit of age to 60 because, after consideration of representations that had been made to them, they came to the conclusion that the concession was reasonable.

#### THE PARLIAMENTARY DEBATES.

SIR RICHARD TEMPLE (Surrey, Kingston): I beg to ask the Secretary to the Treasury whether the Government intend to take action on the Report of the Committee on Parliamentary Debates, with special reference to the recommendation that, respecting the proofs of speeches for a record of Parliamentary Proceedings, no corrections by the Members be allowed?

SIR J. T. HIBBERT: It is not practicable, during the continuance of the contract for the present year, to alter the system of correction of speeches, for which the contract provides. The whole subject will, of course, be carefully considered by the Treasury before a new contract is made.

#### SOUTHAMPTON CUSTOMS LAUNCH.

MR. TANKERVILLE CHAMBERLAYNE (Southampton): I beg to ask the President of the Board of Trade whether a new launch for Her Majesty's Customs at Southampton has been ordered from a firm at Dartmouth; and, if so, whether tenders were invited and the Dartmouth tender was the lowest; and, if not, will he state why the usual custom was departed from, and why the order was not given to a Southampton firm, one of which wrote to the collector and offered to tender?

SIR J. T. HIBBERT: My right hon. Friend asks me to answer this question. Tenders were invited, and the lowest, that of a firm at Dartmouth, was accepted.

#### SUB-INSPECTORS UNDER THE RAILWAY REGULATION ACTS.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Trade whether any appointment of Sub-Inspectors to the Board under the Railway Regulation Acts has been made or will now be made; and whether in making such appointments those who have had practical experience of railway work will be selected?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): The desirability of appointing Sub-Inspectors of Railways has engaged my careful attention; but I am advised that the existing Railway Regulation Acts do not impose duties upon



the Board which could be delegated to Sub-Inspectors. When the Railway Servants (Hours of Labour) Bill is placed upon the Statute Book I shall have to re-consider the question.

\***MR. CHANNING** : Then do I understand the right hon. Gentleman to say that under the Railway Regulation Acts inquiries into accidents to individuals and servants of the Company might not be legally conducted by Sub-Inspectors ?

**MR. MUNDELLA** : I am afraid that such inquiries cannot properly be delegated to Sub-Inspectors.

#### GOVERNMENT CONTRACTS WITH FOREIGN FIRMS.

**COLONEL HOWARD VINCENT** (Sheffield, Central) : I beg to ask the Secretary to the Admiralty whether an order for upwards of £19,000 worth of armour-piercing shells has recently been given to a French firm over the head of any English tenderer ; and having regard to the recent Report of the Labour Correspondent of the Board of Trade at Sheffield, that many men (in analogous branches of industry) have only done one turn a week since Christmas, and are in a most deplorable condition, if more attention will be paid in the further orders about to be placed to avoid spending the people's money out of the United Kingdom in the employment of foreign workmen ?

**MAJOR RASCH** (Essex, S.E.) : At the same time, may I ask the Financial Secretary to the War Office whether a large contract or order for steel shells has been placed with a foreign manufacturer ?

**THE SECRETARY TO THE ADMIRALTY** (Sir U. KAY-SHUTTLEWORTH, Lancashire, Clitheroe) : This is a case in which public interests would have suffered by the adoption of any other course. The Admiralty have been anxious to employ English manufacturers ; but a heavy loss would have been involved in accepting an English tender.

**COLONEL HOWARD VINCENT** : Will the right hon. Gentleman give the date of the contract ?

**SIR U. KAY-SHUTTLEWORTH** : I cannot say the exact date, but it is a recent one.

*Mr. Mundella*

#### THE MARKING OF FOREIGN MEAT.

**COLONEL HOWARD VINCENT** : I beg to ask the President of the Board of Agriculture if the special attention of the Committee now considering the desirability of marking foreign meat to distinguish it from British will be drawn to the Report (Miscellaneous Series, No. 286) by Sir Francis Denys, Secretary of Legation at Copenhagen, recently laid on the Table, upon the successful marking by Government authority of all meat sold in that city, and of the advantages thereby accruing to both producers and consumers ; and if the oral evidence and personal experience on the subject of that diplomatist will, if desired, be placed at the service of the Committee ?

**THE PRESIDENT OF THE BOARD OF AGRICULTURE** (Mr. H. GARDNER, Essex, Saffron Walden) : I have reason to know that the Chairman of the Committee to which the hon. Member refers is fully cognisant of the Report in question, and I have no doubt that the system of marking in force in Copenhagen will receive the attention of the Committee. If the Committee desire to obtain any further information on the subject, we shall be glad to do anything in our power to give effect to their wishes ; but I understand that it would be contrary to precedent to call a Diplomatic Officer home to give evidence, and, of course, Sir Francis Denys is not himself an expert in regard to the matter.

#### THE UNION JACK IN IRELAND.

**SIR THOMAS LEA** (Londonderry, S.) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that the Police Authorities of the City of Londonderry ordered the Union Jack flags to be taken down from the hotels of that city during the recent visit of Lord Salisbury on Friday last ; and if this was done under the orders of the Government ?

**MR. MACARTNEY** : I will, at the same time, ask the Chief Secretary to the Lord Lieutenant of Ireland by whose authority was the order given to certain holders of licences in Londonderry to remove the Union Jack from their premises during the visit of Lord Salisbury ; and on what grounds ?

\*MR. J. E. ELLIS (Nottingham, Rushcliffe): Before the right hon. Gentleman answers, may I inquire whether the late Government did not prosecute a licensed victualler for displaying a flag from his house; and whether the late Colonel King-Harman did not state in the last Parliament that the law would be enforced and prosecutions instituted in all such cases?

MR. J. MORLEY: I believe the circumstances alluded to by my hon. Friend did take place, and that the answer to which he refers was given. In reply to the questions on the Paper, as they have given rise to some not wholly unnatural excitement and to a great deal of wholly unfounded comment, perhaps I may be allowed to answer at some length. The true story is this. On the 26th inst. Mr. Humphrey Babington, publican, of Derry, applied to the Magistrates at Petty Sessions for permission to put up flags on his licensed premises in honour of the visit of the Marquess of Salisbury. The Mayor referred Mr. Babington to the District Inspector of Constabulary, who drew the attention of the Magistrates to Section 8 of the 6 & 7 William IV., cap. 38, and stated he could give no directions in the matter, and that any person putting up flags should act on his own responsibility, as it was against the law. The matter then dropped. The same evening a sergeant of police saw a flag displayed from the Northern Hotel. He spoke to the proprietress, and told her it was wrong. He does not know what flag it was, except that it had a "red look." The same sergeant saw flags displayed from the Imperial Hotel on the same evening. He told the proprietor, Mr. Hagan, they were not legal, and the latter replied that as they were out he would leave them out. Up to this time the sergeant had only consulted the Head Constable, and no order had been given by any person in superior authority. Next day, the 27th, an acting sergeant on duty was directed by Mr. Doherty, a local Magistrate, to warn a publican named MacIlwaine to take down the flags which he had displayed on his licensed premises. The acting sergeant obeyed the Magistrate's order. The publican, however, would not take down the flags. This was the only interference by the police; they drew attention to no par-

ticular flag, and merely stated it was illegal to display "flags" from licensed premises. I need hardly say that no order was ever issued by any Central Authority, and that it had no cognizance of these transactions until after they had taken place. Under the 9th section of the 6 & 7 William IV., cap. 38, a constable authorised by a Justice of the Peace or Chief Constable may enter into licensed premises

"To remove and take away and destroy, if he shall think proper, any banners, flags, colours, symbols, emblems, or decorations hanging out or displayed from such premises."

It is clear to my mind that the Union Jack is not one of the flags contemplated under this section as a flag proper to be destroyed. That and the previous sections of the Act would seem to be prohibitive of holding in licensed premises illegal assemblies or secret societies, or hanging out or displaying from such premises party flags, emblems, or banners. I think the words used by Colonel King-Harman wise words when he said that the law would continue to be enforced wherever and whenever the preservation of the peace demanded it.

MR. MACARTNEY: Can the right hon. Gentleman inform the House what is the flag with regard to which a prosecution was instituted by Colonel King-Harman?

MR. J. MORLEY: It was not the Union Jack. It was a piece of calico with the words "God save Ireland!" upon it.

MR. T. M. HEALY (Louth, N.): I beg to give notice that on an early day I will ask leave to bring in a Bill to repeal the section of the Act of William IV. referred to, or, at any rate, to refer it to the Statute Law Revision Committee.

MR. MACARTNEY: And I beg to give notice that I shall oppose the introduction of such a Bill.

#### TROOPS FOR BELFAST.

SIR THOMAS LEA: I beg to ask the Secretary of State for War if the 1st Battalion of the King's Own Yorkshire Light Infantry has been sent from Guernsey to Belfast; and if this increases the troops in Belfast above the normal average?

**\*MR. CAMPBELL-BANNERMAN :** There will be no increase of the force at Belfast. The 1st Battalion King's Own Light Infantry has sailed for Belfast to relieve the 1st Battalion Lancashire Fusiliers, which is under orders for the Curragh.

#### INVERNESS PRISON.

**MR. WILLIAM WHITELAW :** I beg to ask the Secretary for Scotland if any addition has been made to the cell accommodation in Inverness Prison since 31st March, 1892 ; if so, how great was the increase, and when was it made ?

**THE SECRETARY FOR SCOTLAND** (Sir G. TREVELYAN, Glasgow, Bridgeton) : I have communicated with the Prison Commissioners for Scotland, who inform me that there has been no change in the cell accommodation at Inverness Prison since March, 1892.

#### DOCKYARD WAGES.

**COLONEL LOYD** (Chatham) : I beg to ask the Secretary to the Admiralty whether an *employé* in Her Majesty's Dockyards who is in receipt of a pension for work done in some other branch of Her Majesty's Service, *e.g.*, the police, cannot receive the maximum wage to which his present position would otherwise entitle him ; and, if so, whether Her Majesty's Government will remedy the inequality which exists in these cases ?

**THE CIVIL LORD OF THE ADMIRALTY** (Mr. E. ROBERTSON, Dundee) : The re-employment of Pensioned Civil Servants is governed by the Superannuation Act, 1834, and no Civil pension can be drawn by a re-employed man if his wages exceed his former pay ; if re-employed upon a lower scale of pay, then only so much pension can be drawn, as will, together with his present pay, equal his former pay.

**COLONEL LOYD :** I beg to give notice that I shall bring this matter forward on the Navy Estimates.

#### THE ARMY AND HOME RULE.

**MR. P. J. O'BRIEN** (Tipperary, N.) : I beg to ask the Secretary of State for War whether his attention has been called to the paragraph in *The Westminster Gazette* of the 18th instant, as quoted from *The Irish Catholic*, in which it is stated that at the officers' mess at

Aldershot of a regiment now quartered at the Camp, the toast of "The Queen and no Home Rule" was given a few nights since, and responded to by all the officers present ; and, if so, having regard to the fact that the rank and file of the regiment in question is said to be largely composed of Irish Nationalists, the officers will be reprimanded for such conduct ?

**\*MR. CAMPBELL-BANNERMAN :** The general officer commanding at Aldershot reports that the only regiment there which could come within the conditions implied by the question is the Leinster Regiment. The officer commanding that regiment reports that, so far as it is concerned, the report is without foundation. I must add that we have no knowledge whatever of the political opinions of soldiers in any regiment.

#### IRREGULAR EDUCATION GRANTS.

**MR. CHANNING :** I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to certain irregular and illegal payments of the grants for small populations (Code, Articles 104 and 105) made during the year ended August, 1891 (Return No. 336, 1892), among which occur cases of grants paid on the population of an ecclesiastical or other district not being a school district as defined by the Education Acts, and grants paid to a school recognised as supplying more than one district, although the population of the combined districts is in excess of the statutory limit ; and whether he will take any, and, if so, what, steps in order to prevent a recurrence of such payments ?

**THE VICE PRESIDENT OF THE COUNCIL** (Mr. ACLAND, York, W.R., Rotherham) : My attention has been called to certain cases in which irregularities have occurred in the payment of grants under Articles 104 and 105 of the Code. But for some months past special attention has been given to the conditions under which these grants are made, and means taken to prevent any irregularity in future, by requiring fuller particulars from the school authorities, and instructing Her Majesty's Inspector to satisfy himself as to the accuracy of their figures. Directions will also be given that the

new Census Returns for parishes shall be carefully considered in connection with the small population grants.

#### THE DISTRIBUTION OF PARLIAMENTARY PAPERS.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary to the Treasury whether he is aware that the Orders of the Day sent to each Member each morning now amount to and even exceed one pound in weight, the whole House thereby receiving some six hundredweight of printed matter a-day; whether he is also aware that of this over 50 pages a-day sent to each Member, or about 35,000 foolscap printed pages sent to the whole House, are Amendments to the Government of Ireland Bill issued over and over again, thus rendering it almost impossible to find out which are new Amendments; and whether he can arrange that only new Amendments shall be issued daily, with a weekly edition of the whole Amendments, or some other arrangement, in order to save this large expenditure of printing and stationery and the inconvenience which the distribution of this great amount of printed matter involves on hon. Members?

MR. LODER (Brighton): Before the right hon. Gentleman answers the question, may I suggest whether it would not be desirable to print the actual clause under discussion at the head of the Amendments?

SIR J. T. HIBBERT: The printing of the Notice Paper is under the control of the Speaker, who will, no doubt, consider the suggestion of the hon. Gentleman. As to the question of the hon. Member for North Islington, no doubt the weights of the Orders of the Day and the number of printed pages are as stated by my hon. Friend. In reply to the concluding paragraph of the hon. Member's question, it may be remarked that when a Bill does not stand for Committee upon the Notice Paper of the House for that day's Sitting, it is only new Amendments to the Bill, of which notice has been given at the previous Sitting, which are printed and circulated with the morning delivery of the Notice Paper, but that whenever a Bill stands for Committee upon the Notice Paper, all the proposed Amendments to the Bill must be circulated in each morning's delivery of the Notice Paper,

and that the cost of that circulation is only the cost of the paper on which the Amendments are printed.

MR. LODER: Then if it is deemed necessary to issue all the Amendments each morning would it not be as well that the new Amendments should be printed in a different type?

MR. T. M. HEALY: I hope that the hon. Member who has just sat down will, in the interests of economy, use his influence to induce hon. Members near him to refrain from putting down so many Amendments to the Government of Ireland Bill.

#### THE DUTCH OPERATIONS AGAINST THE ACHEENESE.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have any information as to the progress, present aspect, and prospects of the war which has been carried on by the Dutch against the Acheenese during the last 20 years; whether, by the Treaty of Perpetual Defensive Alliance, of 22nd April, 1819, between Great Britain and Acheen, Great Britain undertook to defend the Acheenese from aggression; whether, under the rule of the Law of Nations, laid down by the Black Sea Conference of London on the 17th January, 1871, Great Britain is still bound by that Treaty, or whether she has ever been released from her obligation by Acheen; and whether Her Majesty's Government, taking into consideration the Treaty of 1819, will now either carry out the engagements of Great Britain under the Treaty, or will use its influence with the Government of Holland to bring about some accommodation whereby an end may be put to the war in Acheen?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): The latest Reports do not indicate any prospect of a cessation of the chronic state of warfare which has unfortunately existed for so long. A recent Ordinance issued by the Netherlands Indian Government has, however, partially relaxed the blockade of the coast of Acheen. It appears to have been held by successive Governments, at various times, that the provisions of the Treaty of 1819 had not been uninter-

ruptedly observed on either side, and could no longer be said to be in force.

MR. GIBSON BOWLES: Cannot the hon. Baronet give me some answer to the last three paragraphs of my question?

SIR E. GREY: The last lines of my answer fully cover those questions.

*"THE LABOUR GAZETTE."*

MR. GIBSON BOWLES: I beg to ask the President of the Board of Trade if he can state who is the proprietor of *The Labour Gazette*.

\*MR. MUNDELLA: The proprietorship of *The Labour Gazette*, like that of all other Government publications, is in the hands of the Government, and the Controller of Her Majesty's Stationery Office is registered at Stationers Hall as the owner of the copyright?

THE SLAUGHTER OF INJURED HORSES.

MR. SAUNDERS (Newington, Walworth): I beg to ask the Secretary of State for the Home Department if his attention has been called to a statement in *The Daily News*, of 29th May, of great suffering inflicted on a horse injured by a collision in Piccadilly, which, for over three hours, the police would not allow the owner to kill because the services of a licensed slaughterer could not be obtained; and will he take measures to prevent in future such delay?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): The accident has been brought under the notice of the Department. The statement that the police would not allow the owner to kill the horse until the licensed slaughterer had arrived is not correct. The general subject is now under consideration.

THE REVENUE OF THE PROPOSED IRISH GOVERNMENT.

MR. BRODRICK (Surrey, Guildford): I beg to ask the Chancellor of the Exchequer whether he is now in a position to lay upon the Table the Revised Estimate of the Revenue of the Irish Government under the Government of Ireland Bill, and of the Irish Customs Receipts, promised by him on 27th April; and, if not, whether he will fix a date for giving this information to the House?

*Sir E. Grey*

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): I am unable to say when the Revised Estimates of the Revenue of the Irish Government under the Government of Ireland Bill will be laid upon the Table of the House, but I will try and get it ready as soon as possible.

MR. BRODRICK: Seeing the important character of these figures, cannot the right hon. Gentleman fix any date when they will be ready?

SIR W. HARCOURT: I am afraid I cannot. They shall be given as soon as possible.

COMMERCIAL TREATY WITH SPAIN.

MR. SCHWANN (Manchester, N.): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Representative at Madrid has been able to induce the Spanish Government to commence negotiations, with a view to establish a new Treaty of Commerce between Spain and England of a character favourable to the development of trade between the two nations?

SIR E. GREY: The Spanish Government have not yet formulated their proposals, but Her Majesty's Ambassador at Madrid has come to London in order to confer with Her Majesty's Government on the subject.

SCIENCE AND ART SCHOOLS UNDER HOME RULE.

MR. WILLIAM KENNY (Dublin, St. Stephen's Green): I beg to ask the Vice President of the Committee of Council on Education if he will state under what section of the Government of Ireland Bill provision is made in respect of Science and Art schools and Technical Education in Ireland?

MR. ACLAND: The expenditure on Science and Art schools in Ireland will be one of the Civil charges of the Government in Ireland, which under Clause 12, Sub-section 2, of the Bill are to be borne after the appointed day by Ireland—in other words, the expenditure will be provided by the Irish Legislature out of the Irish Votes. Technical Instruction can be provided by Local Authorities in Ireland at the present time under the Technical Instruction Act, 1889.

# ✦ FLOATING GROG SHOPS IN THE NORTH SEA.

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) : I beg to ask the President of the Board of Trade whether the Government of the French Republic declined in 1892 to continue their concurrence in the North Sea Liquor Traffic Convention of 1887, because of their disagreement with us in regard to the occupation of Egypt; and, if so, whether he can indicate, and present to the House, any official Correspondence containing any such declaration on the part of the French Government?

\*MR. MUNDELLA : The French Government have never based their refusal to ratify the North Sea Liquor Traffic Convention of 1887 on the ground of a disagreement with this country with regard to the occupation of Egypt. On the contrary, they submitted the Convention to the Chamber of Deputies for confirmation. But the members of that Body appointed a Commission to report upon the question, and the Commission recommended the rejection of the Bill. The arguments they used were mainly directed against Great Britain, and they referred to an alleged opposition to French influence in Egypt. The hon. Member will find the reference at page 39 of the Correspondence recently presented.

SIR G. BADEN-POWELL : May I ask the right hon. Gentleman if he is aware that the reference to Egypt to which he has just alluded is a reference to the affairs of Egypt before 1842?

MR. MUNDELLA : I cannot say that.

\*MR. GIBSON BOWLES : Is it not a fact that the objection of the Commission to the Convention was based not on English intervention in Egypt, but on the idea that England would dominate the sea?

[No answer was given.]

MR. HENEAGE (Great Grimsby) : I wish to ask the President of the Board of Trade whether he has seen a report that two "coopers" are causing wholesale demoralisation among the North Sea Fishing Fleet; and whether this does not render it especially desirable that he should use his influence to secure that the Bill now before Parliament be passed through the House of Lords as soon as possible?

MR. MUNDELLA : I have seen a telegram to the effect stated, and I hope we shall be able to pass the Bill dealing with this subject through the House as promptly as possible, and put it into operation without delay.

MR. GIBSON BOWLES : How does the right hon. Gentleman propose to deal with "coopers" sailing under the French flag?

\*MR. MUNDELLA : There never have been, and there are not any, and we have no reason to believe that there ever will be any, "coopers" under the French flag. When the question arises we shall know how to deal with it.

## THE CLOSURE.

MR. HENEAGE : I beg to ask the First Lord of the Treasury whether, with a view to securing harmonious action in the Committee on the Government of Ireland Bill, he will consider the advisability of using his influence in order that the conduct of the Bill may be left in the hands of a responsible Minister with regard to the Motion for Closure?

THE FIRST LORD OF THE TREASURY (MR. W. E. GLADSTONE, Edinburgh, Midlothian) : I do not exactly gather the intention of the right hon. Member who has put this question, or what he intends to recommend; but I must say, as a substantial answer to it, that when the Government of Ireland Bill is in Committee responsible Ministers of the Crown who are present and taking part in the discussion upon all occasions when proposals of first-class importance or of serious interest are before the Committee on which the Government think it their duty to bring their minds to bear are prepared to make proposals for the Closure at a time when it appears to them that it is proper to do so. But I am bound to say that it would be impossible for the Government to take upon themselves to interfere with the general liberty of hon. Members in reference to the subject.

DR. MACGREGOR (Inverness-shire) : On a point of Order, Sir, may I ask whether the Rules of Procedure do not permit the humblest Representative of the people to move the Closure when he deems that the Rules of the House are being abused by flagrant obstruction of the Public Business?

\*MR. SPEAKER: According to the Standing Order, it is open to any hon. Member to move the Closure.

#### THE LABOUR ARBITRATION BILL.

SIR RICHARD TEMPLE: I beg to ask the First Lord of the Treasury whether he will set down the Labour Arbitration Bill at some hour before midnight, when after a moderate discussion the matters connected with this Bill can be determined?

MR. W. E. GLADSTONE: I am aware that a considerable number of hon. Members are interested in the passage of the Bill; but I am afraid that I cannot undertake to say at present that any arrangement can be made as suggested.

#### HOW TO SAVE TIME.

MR. WEIR (Ross and Cromarty): I beg to ask the First Lord of the Treasury whether, with the view of saving the time of the House at Question time, a Member, on being called upon by Mr. Speaker, may simply respond by giving the number of the question which stands in his name on the Paper instead of the usual introductory form of words?

MR. W. E. GLADSTONE: My opinion is that the humblest economies of time are not to be despised. That which the hon. Member suggests is one I should be glad to see adopted; but, at the same time, I do not think that the proposed innovation would be a good basis for the Government to work upon in amending the Standing Orders.

#### THE PROPERTY QUALIFICATION UNDER HOME RULE.

MR. SAUNDERS: I beg to ask the First Lord of the Treasury if he proposes to adhere to the property qualification, as stated in Clause 6 of the Bill for the Better Government of Ireland, for electors who vote at elections of the Legislative Council?

MR. W. E. GLADSTONE: The question about qualification, and particularly the qualification proposed in the Bill for electors of the Council of the Second Chamber in Ireland, is one which the Government have put frankly before the House, and have laid open to discussion. They have never stated that in their view the matter was so stereotyped as not to be open to modification, after

discussion in this House. I am not prepared to say more than that at present, because I think we ought to avail ourselves of any light which may be thrown upon the subject during the discussion which will take place upon it.

#### THE BLOCKING OF BILLS.

MR. J. E. ELLIS: I beg to ask the First Lord of the Treasury whether his attention has been called to the inconvenience caused repeatedly recently by the objection after 12 o'clock of a single Member to particular business when the House is universally desirous of proceeding with it; and whether he will facilitate the adoption of some such alteration of Standing Order No. 1 as suggested by the Motion on to-day's Order Paper?

MR. W. E. GLADSTONE: The proposal referred to is one of great importance, and I should be inclined to agree that some such alteration as that suggested is desirable. It is, however, a serious matter, as it is in the nature of a restriction of the liberty of action of hon. Members, and no steps ought to be taken without mature deliberation and consultation with the authorities.

#### PLACES OF WORSHIP ENFRANCHISEMENT BILL.

MR. SAMUEL EVANS (Glamorgan, Mid): I beg to ask the First Lord of the Treasury whether the Places of Worship Enfranchisement Bill, which has precedence on Wednesday next under the Standing Orders, will be taken as the first Order on that day; and, if not, what facilities will be given to proceed with the remaining stages of the Bill, having regard to the statement made by him with reference to the Bill on the 30th March last?

MR. BRODRICK: May I inquire whether the right hon. Gentleman is aware that, owing to the action of the Chairman of the Standing Committee on this Bill, it has assumed a very controversial character; and whether he is aware that if the Bill were proceeded with on Wednesday it would necessarily lead to prolonged discussion?

MR. W. E. GLADSTONE: I have not heard that. In answer to the question of my hon. and learned Friend, I cannot hold out any hope that it will have precedence of the Government of Ireland Bill to-morrow.

MR. S. EVANS: May I remind the right hon. Gentleman that on March 30 he said that the "usual facilities" would be given to all Bills which had already passed the Committee stage; and whether this did not imply that the Places of Worship Enfranchisement Bill, which has passed through Committee, will have precedence to-morrow over the Government of Ireland Bill, which has not passed that stage?

MR. W. E. GLADSTONE: I am unable to speak to the exact words which I used upon the occasion referred to; but I do not remember that I stated that the main business of the House would be set aside as in the case of the Eight Hours (Mines) Bill. Still, the hon. Member may rely on it that the Government are not at all disposed to lose sight of the importance of the Bill to which he refers.

#### BUSINESS OF THE HOUSE.

SIR R. TEMPLE: I beg to ask the Prime Minister a question of which I have given him private notice—namely, whether he will be so very kind as to adjourn the Debate on the Government of Ireland Bill to-day a little before midnight, so as to allow time for a brief discussion on the Vote on Account?

MR. W. E. GLADSTONE: That is a very reasonable request, and we shall propose, about 11 o'clock, to report Progress.

#### THE IRISH RAILWAY ACCIDENT.

SIR T. ESMONDE (Kerry, W.): I beg to ask the President of the Board of Trade what arrangements have been made by the Board of Trade to inquire into the recent railway accident in Ireland?

MR. MUNDELLA: As soon as I heard of this sad accident I telegraphed authorising a special inquiry which would involve an Assessor in addition to one of the Inspectors of the Board, and I desired that some Irish barrister should be appointed as Assessor. The result is that Major Mariudín will represent the Board of Trade, and Mr. Adams, Q.C., will be his legal Assessor.

#### MOTION.

#### SITTINGS OF THE HOUSE (DERBY DAY).

\*MR. BROOKFIELD (Sussex, Rye) said, he desired to move, "That the House, at its rising, do adjourn till Thursday, June 1." In so doing he was not actuated by any interested or personal considerations. He had put this Motion down at the request of some of his hon. Friends, and also on broad public and partly philanthropic grounds. When he first handed in the Motion he was informed that it ought to have come from the Prime Minister; and from 1860 to 1878 this duty was, in fact, discharged by the Leader of the House, from the Treasury Bench. He believed that it was a Liberal Prime Minister (Lord Palmerston) who started the practice, and that it was a Conservative Leader (Sir Stafford Northcote) who first departed from it. In any case, he might be allowed to express the deep regret he felt that the Prime Minister's sense of duty did not permit him to-day to bring this proposal forward himself, and that his inclinations would not permit him to-morrow to avail himself of the leisure which he would thus secure. He was quite certain that however much the right hon. Gentleman might give offence to some of his sterner supporters, like the hon. Member who had given notice of an Amendment—which he understood was out of Order—he would certainly gain popularity among the masses of the country. It was not for him to offer any advice to hon. Gentlemen who chose to oppose the Motion; but he might suggest that they were under a misapprehension upon two important points. They were mistaken if they supposed that the British Democracy—Conservative, Liberal, Radical, or Irish Home Rule—were not passionately devoted to the national sport of horse-racing; and he thought they were labouring under a still greater mistake if they thought that their example of abstention from, of non-participation in, this particular race would have the smallest effect upon any man, woman, or child in the country. Hon. Members would recollect, perhaps, the words of the great essayist, who used once to sit upon the Bench opposite, about the attitude of the old Liberal Party, the Puritans, towards a much grosser and less



defensible sport than horse-racing. "The Puritans," said Lord Macaulay, "hated bear-baiting, not because it gave pain to the bear, but because it gave pleasure to the spectators." That was, he submitted, a concise description of what they would be doing if they refused to adjourn for this great Democratic festival to-morrow. If they assumed a sour and fanatical posture towards this great event, the public would be entitled to say that they were not so much distressed about the injury that would be done to the morals of the people as at the notion of Members of the House being allowed to enjoy themselves with the people, and of sharing in their amusement. How often had hon. Members informed their constituents that the greatest pleasure they enjoyed was being in their company? What better opportunity could they have of proving that, for once in a way, they were in earnest than by venturing upon the Downs at Epsom to-morrow in company with the masses as well as the classes? He thought that, on a question of this sort, that House was more liable than any other body of men to assume an attitude that was open to the charge of being hypocritical. Who were they? Who were they that they should have the right to take up this very censorious and conceited attitude on the subject of horse-racing? He did not know that they had in that House as many owners of race-horses as were to be found in another place; but he believed they had a few, and that some of them occupied high places in the confidence of the Crown. And, if they were to gauge the real tastes of hon. Members of that House by humbler indications than the possession of race-horses, he would point to the fact that, not only within the gilded saloons of the Carlton Club, but also within the more chaste retirement of a rival establishment close by, there was maintained a thing called a Derby sweep, which, if it were publicly indulged in in an open space, would bring all the participators within the grasp of the law. He believed that the sincerity of Members of this House on the subject of gambling would best be proved to the world, not by resisting this Motion, but by empowering the Police Authorities occasionally to make what was called a betting raid upon the great establish-

*Mr. Brookfield*

ments in Pall Mall, as well as upon some of the humbler institutions in other quarters of the town. But he could go a little further in proof of his contention that they had no right to take up this particular attitude on the question of the Adjournment for the Derby Day. He believed it was a melancholy truth that some amount of betting actually went on within the walls of that House. The only case which he would venture to bring under the notice of the House was one which occurred not very long ago, when he saw just outside those doors, in the inner Lobby, a Member of the fraternity known as book-makers, with his pocket book in his hand, plying his ordinary vocation. The matter was apparently such an everyday occurrence that nobody took any notice of it. Now he saw the bookmaker doing a little business, as he would have said, with an hon. Member of this House, and, strange to say, that hon. Member was not one of those thoughtless, stupid reactionaries—he was a Member of the Liberal Party, and now a distinguished Member of Her Majesty's Government. [*Cries of "Oh!" and "Name!"*] Hon. Members below the Gangway asked for the name of this Member of the Government. He could only tell them that if they thought he was saying anything that was unwarranted, or of a slanderous nature, the simplest course would be to consult the senior Law Officer of the Crown on the subject. There were a great number of considerations—[*Interruption.*]

Dr. Macgregor rose in his place, and claimed to move, "That the Question be now put"; but Mr. Speaker withheld his assent, and declined then to put that Question.

Debate resumed.

\*MR. BROOKFIELD, continuing, said, he wished that the Question might not only be put, but carried without any further delay. He had said that there were many other considerations which he could put before the House. He might remind hon. Members below the Gangway that it was an Irish Parliamentary Whip who used to undertake the duty of seconding this Motion. Now, by consenting to an Adjournment to-morrow, they would add a whole day to their political existence.

But there was one argument which, he was sure, would secure a hushed respect from all quarters of the House. He had observed that sentimental arguments always had the greatest weight in that Assembly, and there was one sentimental argument which was invariably introduced into Motions for the Adjournment of the House, and that was consideration for the feelings of the officers of the House. Most of the officials of the House, he was informed, were very much interested in the event that was to take place to-morrow, and on their behalf he thought this proposal ought to be well received. Looking at the business view of this proposal, he would ask hon. Members what satisfaction did they derive from the experience of last year? Last year, for the first time for a great number of years, a similar Motion to the one he was now submitting was defeated by a majority of 14, and when the Speaker took the Chair at 12 o'clock on Derby Day he found 12 Members present. At 1 o'clock there were 19, at 4 o'clock there were only 35 hon. Gentlemen in attendance, and at five minutes past 4 the House adjourned without having transacted any business whatever. By assenting to the present Motion the House would give a most refreshing and conclusive answer to those accusations of hypocrisy which were so constantly and, he must say, so justly levelled against it, and would take a course which he fully believed would be at once wise and pleasant, at the same time expedient and popular. He begged to move the Motion.

MAJOR RASCH (Essex, S.E.) said, as he moved this Resolution last year and seconded it the year before, possibly hon. Members would permit him to say half-a-dozen words on the subject in seconding the Motion now before the House. He ventured to appeal to right hon. Gentlemen on the Front Bench opposite, and to ask them to consider whether, with bad seasons, swine fever, and wheat at 23s. a quarter, it would not be an act of common charity to allow hon. Members representing agricultural constituencies to go down to the Derby, possibly for the last time? He felt morally certain that in 12 months time

many of them would not be in a sufficiently strong condition financially to pay for their return tickets, unless, of course, the Prime Minister brought within the region of practical politics his measure for paying them 15s. a day, with third-class return tickets. That measure might possibly put a different face on the situation. He could assure the right hon. Gentleman that there was no plethora of capital in the agricultural districts, whatever might be the case in Ireland. It might possibly be a question of time, and Ministers might be unwilling to tear hon. Members from the contemplation of the great measure in which they all took such a warm interest, and in reference to which he saw that some misguided person had been commenting on and counting their Divisions, which he ventured to consider was a most reprehensible thing. But if the Government could not spare the time, surely with their solid majority of 40—which was occasionally a little more—they could, by suspending the Twelve o'Clock Rule for a fortnight, make up for the time that would be lost by adjourning to-morrow? He looked forward with the greatest interest to the speech of the hon. Member for the Rushcliffe Division (Mr. J. E. Ellis). Nobody who had sat opposite to the hon. Member could doubt his virtues; but because he was virtuous that was no reason why others should have no more cakes and ale. He did not know whether the noble Lord the Member for Ipswich (Lord Elcho) was in his place that afternoon. He believed that on these occasions the noble Lord usually made his annual visit to the House of Commons. He need not say how much they all admired his flexibility of adaptation; and if the noble Lord were present, considering he voted for the Resolution two years ago, and against the Resolution last year, he would ask him to consider whether, in the words of hon. Gentlemen opposite, he might not find salvation and please his constituents and those who supported this Motion by again turning his coat and voting with them on this occasion?

Motion made, and Question proposed, "That this House, at its rising, do adjourn till Thursday 1st June."—(*Mr. Brookfield*.)

\*MR. J. E. ELLIS (Nottingham, Rushcliffe), in rising to oppose the Motion, said he should have regard to the fact that discussions on this question had generally been extremely brief. As mentioned in the Amendment he had placed on the Paper, this was a comparatively recent Motion. It was first made by Lord George Bentinck in 1847. It passed unopposed at that time largely from the circumstance that it came on unexpectedly. But in the following year it was only carried by a majority of 13. It was quite true that Lord Palmerston in 1860, as head of the Government, took up the Motion; but in 1878 Sir Stafford Northcote dropped it as a Government Motion on the very good ground that it had become an opposed Motion, and that it was not fitting that the Government should use their authority and influence to pass a Motion which had then become opposed. Since that time the Motion had had uniform success in that House until last year. He noticed sitting below the Gangway the noble Lord the Member for Ipswich, and those of them who were in the last Parliament would have missed his advocacy of the Motion that day. When this Motion was made by the noble Lord, whose sparkling humour and perfect taste and tone compelled the admiration of those who dissented from him, it was successful; but directly the noble Lord joined with the hon. Baronet the Member for Cockermouth in opposing it it was defeated. He did not stand there to oppose that Motion and then not be prepared to appear in the House at 12 o'clock on the following day. He took it that those who opposed the Motion on the present occasion bound themselves to attend in their places and make a House to-morrow. Speaking on this subject in 1848, Mr. John Bright said—

"It was below the dignity of this House to make the fact of certain races being held within a few miles of the Metropolis a pretext for a holiday."

That was the ground on which he now opposed the Motion. Coming there, as they did, with the earnest purpose of passing legislative measures which they believed were for the benefit of the nation, it was unworthy of them to set aside their whole proceedings because of a certain race meeting in the County of Surrey.

CAPTAIN NORTON (Newington, W.) said, he rose for the purpose of supporting the Motion made by the hon. Member for Rye; but in doing so he was actuated by considerations very different from those which had influenced the Mover. That hon. Member had spoken on behalf of the aristocracy, but he ventured to speak for the democracy. Those hon. Members who, like himself, represented some portion of the large population of this great city dwelling South of the Thames were aware that throughout that wide area the Derby Day was looked upon almost in the light of a national holiday, and there were thousands of them who would as soon think of being absent from Epsom to-morrow as the Spanish workman would think of missing the first bull-fight of the season. The rough Radicals were not all cast in the same Puritanical mould. Many of them looked with a very lenient eye upon the foibles and follies of mankind, and even made allowance for those honourable aristocrats who felt that for one day out of the 365 they would be better employed at Epsom than in wandering, like dismal spirits, round the Division Lobbies of that House. The result of the Division on the Eight Hours for Miners Bill gave him great satisfaction. He was one of those who wished to see the hours of labour curtailed, not only for those who worked in mines, but also for the many who toiled upon the surface. But his deepest sympathy was reserved for those who passed the first portion of the day in dealing with a mass of Correspondence, and the second part of the day and all the night in dealing with an amount of Public Business fully sufficient to occupy two Legislative Assemblies, if not four, with the result that they were deprived of their fair share of Nature's great restorer. He hoped the hon. Baronet the Member for Cockermouth (Sir W. Lawson) would not think he was referring to fiery alcohol. He was alluding to balmy sleep, which when it did come to weary legislators came in a long series of night-mares. He supported the Motion.

MR. MACFARLANE (Argyll) only wished to observe that if any hon. Member would get up and declare on his honour that he had something new to say on the subject the House would, no doubt, listen to him; but, in the absence

of any such declaration, he begged to move that the Question be now put.

LORD STANLEY (Lancashire, S.E., Westhoughton), for whom there had been calls), rose to continue the Debate—

\*MR. SPEAKER: The House seems desirous to hear the noble Lord.

LORD STANLEY said, that the hon. Member (Mr. Macfarlane) asked if there was anybody who could get up and say anything new about this matter. It was not his intention to accept that challenge. To a certain extent he might claim to have an interest in this question that did not pertain to anybody else in the House—he might say it was almost a personal matter. He had read—and he agreed with it—that the best way to secure the holiday was not to take up a long time discussing it that day. He could address no fresh arguments to the House, and Heaven forbid that he should try to make a fresh joke! As to the noble Lord the Member for Ipswich (Lord Elcho), this occasion seemed in years past to have been a sort of jocular benefit for him. The year before last the noble Lord proposed the Adjournment for the holiday, and last year he opposed it; and in that respect the noble Lord seemed to have done within the year what some right hon. and hon. Gentlemen also had done—namely, changed their minds, and been able to see and vote in diametrically opposite ways. The hon. Member who opposed this Motion seemed to him to put the whole case in a nutshell. He apparently looked upon the noble Lord the Member for Ipswich as a sort of standpoint by which the House should go, so that whatever way the noble Lord spoke and voted the House ought at once to follow. [*Cries of "Divide!"*] He would not stand longer between the House and the noble Lord, and felt certain that if his noble Friend voted for the Motion they would be able to do what they had done in times past and carry the Adjournment.

Question put.

The House divided:—Ayes 169; Noes 281.—(Division List, No. 100.)

VOL. XII. [FOURTH SERIES.]

## ORDERS OF THE DAY.

GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 17th May.*]

[NINTH NIGHT.]

Considered in Committee.

(In the Committee.)

*Legislative Authority.*

Clause 3 (Exceptions from powers of Irish Legislature).

Question again proposed, "That Clause 3 be postponed."

Debate resumed.

\*SIR R. TEMPLE (Surrey, Kingston) said, he rose to resume his speech in support of the proposal to postpone the consideration of Clause 3, and the postponement, if allowed to Clause 3, must extend to Clause 4. In speaking to the Amendment of the hon. and gallant Member for Colchester (Captain Naylor-Leyland), it would be necessary for him to refer to other clauses than that which was now before them; but he would do so as briefly as he could, and he hoped he would not go beyond the bounds of Order in any remark he might make. The postponement of that clause would involve the postponement of Clause 4 also. The Prime Minister, he understood, agreed that the Amendment was not unreasonable.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian) said, he did not agree.

\*SIR R. TEMPLE said, at all events the contention was that the Constitution of the new Legislature ought to be definitely settled before they dealt in detail with the powers to be entrusted to it. He admitted that such powers must be settled in the main before they came to the constitution. This had been done in Clauses 1 and 2. Now, however, they were coming to particularities—that was, to restrictions. And even with those restrictions they learnt from the foregoing Debates that the new Legislature might deal with many subjects not anticipated—such as divorce, female suffrage, currency, Merchant Shipping Laws, bills of ex-

change, and an infinitude of other things. Hence the importance of Clauses 3 and 4. By the postponement of Clauses 3 and 4 the Committee would come at once to the consideration of Clauses 5, 6, 7, and 8. In Clause 5 they were face to face with the Executive power; and if the Unionist Party knew what that power was to be, and were satisfied with regard to it, they would be less nervous about the exceptions and restrictions in Clauses 3 and 4, and they would be more willing to grant concessions. One would suppose, on reading Clause 5, that the functions and position of the Lord Lieutenant would remain as they were at present; that the whole Executive would be under the control of the Lord Lieutenant, and that he would be under the control of the Imperial Parliament; but the very opposite would appear to be the intention of the Government. That matter of doubt could only be settled after Clause 5 was discussed in Committee; and if it were decided that the Executive in Ireland remained under the supreme authority Clauses 3 and 4 would be less alarming. Again, with regard to Clause 6, which constituted the Irish Legislative Council, it was conceivable that they might succeed in inducing the House to create a Second Chamber such as was proposed by the Prime Minister in the Bill of 1886. If that were done there would not be the same alarm about Clauses 3 and 4. Then came Clause 8, dealing with the Irish Legislative Assembly, and it could hardly be supposed that that Assembly would be constituted otherwise than as appeared in the clause. Then followed the clause which proposed, in the event of a disagreement between the two Chambers, to place the Second Chamber entirely at the mercy of the first—to place the Irish Upper House under the heel of the Irish Lower House. If the Opposition succeeded in obtaining real power for the Second Chamber, such as the Second Chamber in this Parliament had, that would affect their opinion with regard to the whole Bill. Supposing these later clauses were passed as they stood, the Second Chamber would practically be composed of the same class as the first, and would be subservient to it; and, consequently, measures for the abolition of rent and property in land and for the expropriation of landlords might,

conceivably, be passed, notwithstanding any exception in general terms dealing with these matters in Clauses 3 and 4. Under those circumstances, he and his hon. Friends would have to press for some amendment of those clauses, so as to take the land altogether out of the power of the new Irish Legislature, instead of for three years only, as was proposed by the Bill. And supposing that the Irish Assembly, free from all real control of any Second Chamber, and entirely consisting of the peasant interest, were to turn round and no longer acknowledge liability for the advances made to them by the British taxpayer for Land Purchase and other works of utility in Ireland, there would be no check on such proceedings except by the insertion of express words in Clauses 3 and 4. The Unionists were, therefore, anxious to pass at once to the consideration of the clauses dealing in detail with the Constitution of the new Irish Legislature before they proceeded to consider further its powers in detail. These were their arguments, and he hoped they would have the support of the House, which he thanked for the patience with which it had listened to him.

VISCOUNT CRANBORNE (Rochester) said, he did not think the Government had any ground for complaint with regard to the resumption of the Debate on the Amendment now before the Committee, because the Recess had given the Government an opportunity of making up their minds on questions of the highest importance still before the Committee. He was afraid they could not be certain that the Government had made up their minds on all points, because only that afternoon the Prime Minister had announced that his mind was completely open with regard to the franchise of the Upper Chamber. The Government might well be expected now to make some announcement with respect to the important subjects of finance and the retention of the Irish Members, for it was almost impossible to discuss Clauses 3 and 4 without knowing how these subjects were to be dealt with. The enormous number of questions that arose upon Clause 3 would be determined in a totally different manner, according to the decision to which the Government might come as to the inclusion or exclusion of the Irish Mem-

bers. He knew it would not be in Order to go into many matters dealt with in the clauses ; but he would refer to one of the most important sub-sections of Clause 3, Sub-section 7, excluding external trade from the cognisance of the Irish Parliament. How could they expect that the Irish Members would consent to cut themselves off from all discussion of trade outside Ireland, when, possibly, after Clause 9 had been dealt with, they might find themselves excluded from the Imperial Parliament ? Then, again, with regard to the question of coinage, how could they possibly cut off that matter from the Irish Legislature if they had no representation in the Imperial Parliament ? The same observation applied to trade marks, merchandise marks, patent rights, and copyright. These questions could not be excluded from the cognisance of the Irish Parliament unless Ireland retained her representation at Westminster in some form or another. And the Government might produce a great change of feeling on their own side of the House. Many hon. Members on the Ministerial side would think that if the Irish Members were to be admitted to the Imperial Parliament on all subjects there were many matters in regard to which the Imperial Parliament ought to retain the fullest control. There were a great number of Amendments on this clause proposing to increase the restrictions of the section which ought to be admitted even from the Gladstonian point of view if the Irish Members were to be admitted into the Imperial Parliament for all purposes. He failed to see how they could go into this clause before they knew the mind of the Government on that important question. There were Amendments on the Paper to include amongst the restrictions Factory Legislation, Merchant Shipping, Joint Stock Companies, Currency Banks, Internal as well as External Trade, Land Administration, and the Marriage Laws. He thought that all these things ought to be included amongst the exceptions in any case ; but every fair-minded man, on whichever side of the House he sat, would agree that they should be included if the Irish Members were to be retained at Westminster on all subjects. He had dealt shortly with the bearing of the 9th clause on the Amendments before the Committee ; but the Finance Clauses were

in exactly the same position. The Committee did not know in the least what financial proposals the Government were going to place before the Committee except this—that they were going to be very different to what appeared on the face of the Bill. The uncertainty as to the Financial Clauses made it impossible to discuss Sub-section 7 of this clause. What would they know in regard to restrictions on trade by the Irish Legislature if they were not aware of the policy of Her Majesty's Government as to the financial portion of the Bill ? It was grotesque to ask the Committee to determine the restrictions to be imposed upon the Irish Parliament if they did not know what powers the electors of Ireland were to have in the Imperial Parliament, and if they did not know the initial financial arrangements to be made between this country and Ireland. The Government had had 10 days or a fortnight to think all these difficult questions over. He had no doubt they had applied their minds to them. He invited the Chief Secretary for Ireland to make a clean breast of it—he would get on a great deal quicker if he would—and tell them what he proposed to do as to the retention of the Irish Members at Westminster and as to the financial part of the Bill.

MR. MACARTNEY (Antrim, S.) wished to call attention to the particular ground on which the right hon. Gentleman the Prime Minister refused to assent to the Amendment proposed by the hon. and gallant Member. The Prime Minister first of all made the statement that he had on his side the custom and precedent of Parliament in dealing with this matter. Well, he (Mr. Macartney) would show that, instead of the custom and precedent of Parliament being on the side of the Prime Minister, the arrangement of the clauses in this Bill was diametrically opposite to the course followed in the establishment of our Colonial Legislatures. The Prime Minister had gone on to say that it would not only be inconvenient, but absolutely anomalous, to assent to the Motion of the hon. and gallant Member. It seemed to him (Mr. Macartney), on the contrary, that it would be a much more convenient course for the Committee to pursue to discuss the matters contained in Clauses 3 and 4

before the very important matters contained in Clauses 5 and 6 had been arranged to the full knowledge of the Committee. They knew, at the present moment, that there was nothing stereotyped in the 6th clause; they knew that the 9th clause was in a practically unsettled condition, and they knew that the Financial Clauses were to be postponed to the end of the measure; therefore, instead of its being inconvenient, it seemed to him that it would be convenient to the Committee if it had the proposals contained in the 5th, 6th, and 7th clauses settled before dealing with the 3rd clause, because those clauses were of the highest importance, bearing on what the right hon. Gentleman the Chancellor of the Duchy of Lancaster called the other day—

"The large and solid guarantees to the minority against the abuse of either executive or legislative power by the Irish Government."

The relation of those clauses to the rest of the Bill would throw the largest amount of light on the sincerity of the declarations that the Government had made with regard to Imperial supremacy and the protection of the minority in Ireland. The Prime Minister had said that the proposal was an anomalous one. Not only was it not anomalous, but it actually proposed to deal with the present clause in the way in which similar clauses had always been dealt with by that House and Parliament, when constituting other Assemblies of the character of the one it was proposed to set up in Ireland. To take the earliest precedent of all—namely, the Act which granted a representative Constitution to New Zealand—he found that the 32nd section of that Act established the General Assembly, consisting of a Governor, a Legislative Council, and a House of Representatives, and that the next 20 sections, instead of dealing with the powers of that Assembly, dealt with the election or qualification of the Members who were to form the Legislative Council or the House of Representatives. It was not until the 53rd section was reached that any attempt was made to deal with the powers or restriction of the powers of the General Assembly. The same course was followed in the Act constituting the New South Wales Legislature and in the Act dealing with Victoria, and these precedents were observed in the most

important measure of all—namely, the British North America Act. So that the precedents were all against the argument urged the other night by the Prime Minister. The course Parliament had already adopted amply justified the proposal now made, and the Prime Minister had given no adequate reason for refusing its adoption. The arguments used by the noble Lord who preceded him (Viscount Cranborne) and by the hon. Baronet the Member for Kingston (Sir Richard Temple) showed conclusively that the demand which was being made by the Unionist Members was a reasonable one, to which the Government, if they desired to meet the arguments of their opponents, ought to accede. He did not know whether, even at this moment, they could make any impression upon the hostility of the Prime Minister; but surely when the right hon. Gentleman found himself divested of the ground upon which he had based himself previously, he would see the reasonableness of meeting the wishes of those who supported the Amendment.

\*Mr. H. S. FOSTER (Suffolk, Lowestoft) said, that the Government, during the past few days, had had an opportunity of reviewing their position. The Unionist Members contended that they ought to know how the Irish House was going to be constituted and what powers it ought to possess before they considered what restrictions should be placed on it when constituted. The Government had had pointed out to them, in a way which required an answer, that some of the restrictions proposed in Clause 3 would be unreasonable, or excessive, or insufficient, just in proportion as the Irish Members retained their full powers or unlimited powers only in the Imperial Parliament. Many of the subsections dealt with restrictions that it might be unreasonable, under certain circumstances, to impose on an Irish Parliament, and he understood from the speeches of the Irish Members that they already considered them unreasonable. They certainly would so consider them if those Members were only to have a limited power in the Imperial Parliament. The clause under discussion certainly would not clothe the Irish Parliament with the dignity and powers of our Colonial Legislatures. If the Bill were passed with the proposed restrictions it would only

*Mr. Macartney*

constitute an additional source of irritation as between this country and the Irish Parliament; and surely it was grotesque to ask the Committee to enter on the consideration of the restrictions which were to be imposed upon the Irish Parliament before they knew what voice Ireland was to have in the Imperial Parliament. The Chief Secretary for Ireland had been invited to make a clean breast of it; but he (Mr. Foster) gathered from the way in which the right hon. Gentleman met the suggestion that the same policy was to be pursued after the Whitsuntide Recess as was pursued before. He was confirmed in that impression by the empty state of the Government Benches. All that the supporters of the Government were asked to do was not to meet argument by argument, but to give their silent "Votes, Votes, Votes"—which the Prime Minister stated at an early period was the great duty of the Party that supported him—

MR. W. E. GLADSTONE: I altogether decline to acknowledge that statement.

\*MR. H. S. FOSTER said, he was bound to accept the right hon. Gentleman's disclaimer. He could not contradict him, not having the quotation at his hand. The declaration was in the recollection of the House, and, at any rate, the right hon. Gentleman uttered the memorable words, "Vote, Vote, Vote."

An hon. MEMBER: It was Churchill.

\*MR. H. S. FOSTER: The noble Lord the Member for South Paddington taunted the Members of the Government with their sense of duty being confined to "Vote, Vote, Vote," and the right hon. Gentleman the Prime Minister accepted that challenge.

MR. W. E. GLADSTONE dissented.

\*MR. H. S. FOSTER said, that what he had been about to say was that it was true the Government, in voting down Amendments, might succeed in securing a Parliamentary victory, because they had the battalions behind them; but whether that was a proceeding which would commend itself to the judgment of the country was another matter. So far as the Opposition were concerned, they would be perfectly content to see the Government continue what they considered their present suicidal policy. If they continued to vote down Amend-

ments without taking part in discussion, or answering arguments reasonably brought forward, those arguments would go to the country, and the country would come to the conclusion that no answers had been given to them because there were no answers to give.

Question put.

The Committee divided:—Ayes 240; Noes 273.—(Division List, No. 101.)

\*MR. H. S. FOSTER said, he desired to make a personal explanation to the Committee, and he, therefore, took the earliest opportunity of doing so. In supporting the Motion upon which the Committee had just divided, he had ventured to quote a statement from the right hon. Gentleman the Prime Minister, in which he had advised his supporters to "Vote, Vote, Vote." The right hon. Gentleman had challenged the accuracy of his (Mr. Foster's) statement. He had had an opportunity during the Division, through the assistance of an hon. Member, of verifying the quotation, and he held in his hand a copy of *Hansard* for February 23, 1893, containing the Debate on the Welsh Suspensory Bill. In the course of that Debate the noble Lord the Member for South Paddington (Lord Randolph Churchill) said—

"Sir, to carry that Irish policy nothing must be spared; never such a trifle as the Established Church in Wales! Votes! Votes! Votes! That is the great cry of the right hon. Gentleman, and that is the political morality which he preaches. Votes at any cost; votes at any price."

In reply to that the right hon. Gentleman the Prime Minister said—

"It is impossible for me to traverse the wide field of the speech of the noble Lord; but this I will do—I will accept the challenge of the noble Lord, and I will say that the arts and resources of the present Government consist in this—in bringing forward while in Office measures which they approved in Opposition, in endeavouring to redeem the pledges which they have given to the country; and while the noble Lord tries to play Welsh Disestablishment against Irish Home Rule and Irish Home Rule against Welsh Disestablishment, I tell him plainly that I am not ashamed either of the one or of the other proposition, and I am quite prepared to adopt his monosyllabic exclamation, and to say Vote, Vote, Vote.—Vote for both Welsh Disestablishment and for Home Rule."

He (Mr. Foster) hoped he had made good the point he had stated.



MR. W. E. GLADSTONE: It appears to me that the hon. Member has entirely failed to make good his case. The hon. Member was speaking about Debates on the Irish Bill and on the Government having adopted a system of silence on that Bill, and in support of that he now goes off to another subject, when these words of the noble Lord the Member for South Paddington were adopted in a totally different manner for a totally different purpose. When the noble Lord said that we were going to sacrifice everything for the Irish measure, I did answer that we would not flinch from the fulfilment of our English, Scotch, and Welsh pledges, and that in order to carry them out we were ready to say "Vote! Vote! Vote!"

THE CHAIRMAN: The first two Amendments are as follows:—

In Clause 3, page 1, line 19, leave out "Legislature," and insert "Parliament."—*(Mr. Parker Smith.)*

In Clause 3, page 1, line 19, leave out "Legislature," and insert "Assembly."—*(Mr. Heneage.)*

These are out of Order. The next Amendment, standing in the name of the hon. Member for East Somerset (Mr. H. Hobhouse), is—

In Clause 3, page 1, line 19, after "Irish," insert "Government shall not (except so far as may be authorised by this Act) have power to do any executive act, and the Irish."

That is out of Order on this clause, and ought to be moved on Clause 5. The first in Order stands in the name of the noble Lord the Member for West Edinburgh (Viscount Wolmer).

MR. H. HOBHOUSE: On the point of Order—*[Loud cries of "Order!"]* I dare say, Sir, you will allow me to submit to you what I intended by my Amendment. *[Cries of "Order!"]* I wish to explain the object of my Amendment. *[Continued cries of "Order!"]* I do not wish in any way to anticipate Clause 5, which constitutes the Executive, but to deal with the excepted subjects as a whole, and put them entirely outside the purview of the Executive as well as of the Parliament. May I submit—*[Cries of "Order!"]*

THE CHAIRMAN: The hon. Member is at liberty to move this on Clause 5; but I am clear that it is out of Order on this clause.

MR. SEXTON (Kerry, N.) rose to Order. He begged to submit that all the Amendments on the first page of the Notice Paper were out of Order. *[Cries of "Order!"]* He must state his reasons. *[Cries of "Order!"]* He wished to point out—*[Cries of "Order!"]*

MR. T. W. RUSSELL (Tyrone, S.): I rise to a point of Order. *[Cries of "Order!"]*

THE CHAIRMAN: The hon. Member for North Kerry is in possession of the Committee.

MR. T. W. RUSSELL again rose. *[Loud cries of "Order!" and "Name!"]*

THE CHAIRMAN: The hon. Member for North Kerry rose to a point of Order.

MR. T. W. RUSSELL: Yes; but I am—*[Interruption, and renewed cries of "Order!"]*

MR. SEXTON said, that Clause 2, which the Committee had already passed, said—

"With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland,"

and so on. Clause 3 proceeded to say—

"The Irish Legislature shall not have power to make laws in respect of the following matters or any of them;"

and then recited the exceptions. He understood, therefore, that Clause 3 was limited to the question of power of the Irish Legislature to make laws, and that any exception to be introduced in the provision must be as to the making of laws. He submitted that the Amendment of the noble Lord the Member for West Edinburgh, which related to the passing of Resolutions and not to the making of laws, and the second Amendment, which related to Votes in Supply, and the various other Amendments on the page should be moved as new clauses, or as Amendments to Clause 5.

MR. T. W. RUSSELL said, the Chairman had distinctly ruled the Amendment of the noble Lord the Member for West Edinburgh in Order.

THE CHAIRMAN : I have carefully considered the matter, and have come to the conclusion that the noble Lord's Amendments are in Order. It may be said to be part of the ordinary business of a Legislature to pass Resolutions of this kind.

\*VISCOUNT WOLMER (Edinburgh, W.) said, he had to propose the insertion in the clause of the words "to discuss or pass Resolutions or to." He thought the Committee had a right to ask what was in the minds of the Government when they framed this clause. There was no reason why the Committee should be in any doubt in the matter whatever, as it was only necessary to refer to the speech of the Prime Minister to ascertain what that right hon. Gentleman had in view. Speaking in the House of Commons on the 13th February in the present year, the Prime Minister, referring to the power to be given to the Irish Legislature to

"Make laws for the peace, order, and good government of Ireland, in respect of matters exclusively relating to Ireland, or to some part thereof,"

said—

"That power is subject to a double limitation, which I will describe. First of all it is subject to the necessary and obvious limitation that certain heads are reserved to Parliament—not reserved as given to Parliament, but reserved by way of excluding the new Irish Legislature from doing any act in relation to them."

That this had always been the right hon. Gentleman's purpose was clear from the speech he made in introducing his Home Rule Bill in 1886. On the 8th April in that year he said—

"I will now tell the House—and I would beg particular attention to this—what are the functions that we propose to withdraw from the cognisance of this Legislative Body."

The right hon. Gentleman then proceeded to enumerate the exceptions which were to be found in this Bill. The purpose which the right hon. Gentleman indicated on both those occasions had not in any way been fulfilled in the drafting of this Bill. The governing word of this section was the word "law." The Irish Legislature were not to have power to make law. He submitted to the Committee that this was a far narrower definition, and covered a far narrower field, than that foreshadowed by the Prime Minister in either of the speeches he had just quoted. In one case the right hon. Gentleman

said that these matters were to be withdrawn from the "cognisance" of the Irish Legislature, and in the other he said the Irish Legislature were to be precluded from doing "any act" in relation to them. Laws were only part of the field which was embraced in the word "cognisance," and were only part of the "acts" referred to by the right hon. Gentleman. It was quite true that if the Bill became law in its present form the Irish Legislature would be precluded from passing laws; but it would not be precluded either from discussing and passing Resolutions on any one of the subjects enumerated in the clause. He asked the Committee to consider what a position affairs would assume if the Irish Legislature were to abuse the power it would certainly have of passing Resolutions on some of these subjects. He would, in the first instance, take the 1st sub-section, which dealt with regency. He was not going to indulge in any of those wild and unfounded prophecies which the Prime Minister had accused the Unionist Party of indulging in with respect to this Bill. He was going to deal with historical fact. It was well known that when there was a Parliament in Dublin it interfered with the question of regency. Under this Bill the Irish Legislature was to be precluded from passing any Act on the subject of regency; but what might be the position of affairs if, at a critical moment, the Party in power in the Imperial Parliament had certain views on the question of regency, and the Irish Parliament were to pass a Resolution expressing totally different views and in favour of an entirely different candidate? Although, happily, they had been free from such dangers in the past, was it not possible that they might arise in the future? The Lord Lieutenant was to occupy a double position under the Bill. He was, in the first place, to be the Queen's Representative in Ireland, and he was also to be the Minister of the Imperial Parliament for certain purposes which were specially reserved in the Bill. He was to have power to veto the Acts of the Irish Parliament, and he was also to have power—it might be in spite of the expostulations of the Irish Ministers—to order payments from the Irish Exchequer for the benefit of the Exchequer of the United Kingdom. He might also

be considered as mainly responsible for seeing that the decisions of the Exchequer Judges and the Privy Council were carried out. The opponents of the Bill had maintained over and over again that the supremacy proposed by the Government was a sterile supremacy, because, whatever the paper guarantees might be, there would be no Executive force with which the Imperial Parliament could carry out its will against the Irish Government. The Home Secretary, in reply to this argument, had put forward as one of the safeguards of the Imperial supremacy the fact that all the officers of the Irish Executive Government would be bound to obey the orders of the Lord Lieutenant as representing the Imperial Government just as much as, if not more than, they would be bound to obey the orders of the Irish Executive. Now what would be the position of the Lord Lieutenant if he had to carry out the views of the Imperial Parliament contrary to the wishes of the Irish Government, and in the teeth of the general Nationalist opinion? He would have great difficulties to contend with. Would the Irish Executive support his orders? They might feel doubts and difficulties as to what they should do; but how long would they hesitate if the Irish Parliament passed a Resolution condemning the Lord Lieutenant for vetoing a Bill or for giving an order for payment from the Irish Exchequer to the Exchequer of the United Kingdom, or if they passed a Resolution censuring the Exchequer Judges or the Irish Privy Council for the tone of their decisions on points of Constitutional Law. As the Bill now stood, the Irish Legislature could do any one of these things, although the Prime Minister said he desired to withdraw these matters from its cognisance. He asked the right hon. Gentleman the Home Secretary what reliance the Lord Lieutenant could have in the officers of the Irish Government to carry out his orders if the Irish Legislature passed a Resolution condemning the Lord Lieutenant for giving those orders? Sub-section 2 forbade the Irish Legislature to make laws in respect of peace or war, or matters arising from a state of war. What effect would this Bill, if passed, have on the position of this Empire in a great national struggle such as took place at the end of the last

century? This surely was a point of paramount importance, not only to themselves, but to their descendants. Parliament in this matter was acting not on its own behalf, but as trustees for future generations; and yet this branch of the subject had not, he believed, been touched upon in these Debates by any supporter of the Bill. What would be the position of the Imperial Government if, in the middle of some critical war, the Irish Legislative Body were to pass Resolutions condemning the war and the policy which caused it, and demanding immediate peace, or expressing sympathy with the enemies of the Empire? There was nothing whatever in the Bill as it stood to prevent the Irish Legislature taking such a course. When the Prime Minister said that matters of peace and war were to be withdrawn from the cognisance of the Irish Legislature he never meant that that Body would be in a position to pass a Resolution of sympathy with our enemies. Had they no rights on this subject? It was a matter of public knowledge that in some of the wars that had occurred when the right hon. Gentleman the Member for Midlothian was Prime Minister Irish Nationalist Members, both in their speeches and in their Press, had very freely expressed their sympathy with the enemy the right hon. Gentleman was attacking, and their condemnation of his policy in carrying on those wars. One Member of Parliament even plunged into poetry on the subject, belittling his own country, and praising and belauding her enemies. The Prime Minister and other right hon. Gentlemen who supported the Bill might say that these sentiments were expressed when the Irish Members were smarting under a sense of wrong. But how did the right hon. Gentleman know that Irish Members in the future would not think that they had reason for dissatisfaction with the new scheme; and, if so, why should they not use such means of extorting from the Government of this country further concessions? Again, on this subject we had had experience. When was Grattan's Parliament formed, and under what circumstances was it that it forced the Imperial Parliament to concede its demands? It was in exactly analogous circumstances to those which would obtain if this Home Rule Bill passed that the leading Mem-

bers of the Irish Parliament desired to have a Parliament of greater independence, and they took the opportunity of a war and of foreign complications to demand better terms, and got them. Was it not almost certain that some Members would desire for their new Irish Parliament more independence and less restrictions, and when we were engaged in a war why should they not again hold a pistol to our head and say—"Give us this concession, or we will pass a Resolution condemning the war and sympathising with your enemy?" If history was any guide or light, dangers which had occurred in the past must be foreseen and met; and how the Government, with their expressed desire to withdraw these subjects from the cognisance of the Irish Parliament, could be content with a barren and narrow enactment as to law, leaving the Irish Legislature free to pass such Resolutions at a critical time, the right hon. Gentleman had failed to explain. In Sub-section 3 the Irish Legislature were forbidden to make laws on the subject of Naval or Military Forces. But it was well known that there had been in Ireland a great Military Force—the Volunteers—which needed no law to call it into existence, and that Military Force was the foundation-stone of Grattan's Parliament. No Act of the Irish Parliament was passed to create it, and no doubt a similar body without any legal status at all might, by a system of mutual co-operation and understanding, again come together. But by this Bill as it stood the Irish Parliament might pass a Resolution calling upon patriotic Irishmen voluntarily to band themselves together and make one of those Military Bodies which had had so great an effect on the history of Ireland, and which might enable the Irish Parliament created under this Bill to take up with greater effect that position in foreign politics which he had foreshadowed. Sub-section 4 forbade the making of laws in connection with Treaties and other relations with Foreign States. As the Bill stood, there was nothing whatever to prevent the Irish Legislature from sending an Envoy of its own to Washington or Paris without making any law whatever. The Irish Government could send an Envoy as its own separate Representative to any Foreign

State at any time, and the Irish Legislature could vote money for that purpose. He need not enlarge on that point. That Envoy might take his place beside the Imperial Representative, and might put forward a scheme of policy different from that of the Representative of the Imperial Parliament, and use it as a lever to try to wring some further concession from us. What would be the position of this country in such a case? Supposing we were passing through a critical stage in our history at the time, supposing complicated diplomatic negotiations were going on and the question of peace or war hung in the balance, would not the Foreign Minister of this country—the man on whom, perhaps, the fate of the Empire depended, and with whom rested the decision whether there should be peace or war—would he not be placed in a cruel position when he learnt that there was side by side with his Envoy an Envoy from the Irish Parliament having ulterior views of its own? There were two countries in particular with which the relations of this country were vast and complicated. Indeed, there was scarcely any part of the world in which the British Empire did not touch some French interest. We had, too, an enormous field of contact with the United States, and those were the very two countries of all others where the Irish Legislature would be most likely to send its Envoys. In the United States there was a large Irish vote. What would prevent the Irish vote in the United States, in the interest of the Party which it supported and the Irish Parliament in Dublin, for the objects of its own ambition, from using Parties in the British Empire and in the United States as a sort of battledore and shuttlecock for the promotion of their own purposes, and to extract from the Imperial Parliament those concessions which were the ambition of the Dublin Parliament? He had only touched upon the borders of a very large field which the Committee was bound to explore. It was a subject upon which not a single word had dropped from any supporter of this Bill. It was a subject on which the House had been left in complete ignorance; it was a matter of vital consequence, and yet the Leaders of the Gladstonian Party had never vouchsafed to the constituencies of the country a

word to show how the Government meant to forestall those dangers. Then Sub-section 6 said that the Irish Legislature should not make laws with regard to treason and treason-felony. There were historic words of the Prime Minister in introducing his first Home Rule Bill when he talked of laws coming to Ireland "in a foreign garb." Were there any laws which came to Ireland in a more foreign garb than the laws of treason and treason-felony; and would these laws assume a native aspect because they had been entirely withheld from the purview of the Irish Legislature? The whole Irish Party of both sections were united in condemning the use of these laws, and they asserted that the right hon. Gentleman himself had put men in gaol most unjustly under them, and kept them there. What would be the position of the officers of justice and the Ministers of this House if the Irish Parliament passed a Resolution of condemnation upon every conviction and imprisonment of an Irishman under the laws of treason-felony, prospective or retrospective? Lastly, he came to Sub-section 7, which forbade the Irish Legislature from making laws in regard to trade with any place out of Ireland. Here, again, the governing word was "laws." The Prime Minister had told the country he desired to withdraw this subject from the cognisance of the Irish Parliament. Let the Committee consider once more what the position of the Foreign Secretary would be in his future commercial negotiations. England was the only country that had adopted a thoroughgoing Free Trade policy. Every other country almost was endeavouring to raise higher and higher a Protectionist barrier against her. What would be the position of an English Minister if, while he was trying to negotiate from a Free Trade point of view, the Irish Legislature passed Resolutions in favour of a Protectionist policy? For it was notorious to the Committee that the sympathies of the Irish Nationalist Members in matters of fiscal policy were on the side of Protection. The late Mr. Parnell openly avowed the fact. He expressed the hope that Ireland might yet be benefited by the adoption of a Protectionist policy, and all those who were once his followers were generally supposed to hold the same views. Was

*Viscount Wolmer*

it to be supposed that the Irish Nationalists would not give vent to those views when the time and opportunity came? Thus the two Parliaments might be promulgating directly opposite principles, and thus any English Foreign Minister would find it a very difficult task to negotiate any Commercial Treaty of a Free Trade character with another Power. He had drawn attention to some of the dangers which were involved in this clause of the Bill—dangers which the Prime Minister and the Government evidently intended to meet. But he maintained that the clause did not carry out the avowed intentions of the Government as explained by the Prime Minister. If the Government did not accept the Amendment, or insert in the clause words to the same effect, it must be assumed either that the Prime Minister, in his statement in introducing the Bill, went beyond what his real meaning was, and thus gave the country a wholly erroneous impression, or that the point must have escaped the observation of the Government, and the words used by the Premier went further than their policy was intended to go. Either the Government meant to withdraw the subjects he had referred to from the cognisance of the Irish Legislature or they did not. If they meant that that Body should have the power to pass Resolutions condemning the foreign policy of the Empire, censuring the Lord Lieutenant, dictating what the fiscal policy of the Empire should be, and in favour of establishing Military Forces in Ireland, now was the time for them to tear off the mask and let the country know. If they did not mean this, then he could only say they had failed in the Bill to carry out their intentions, and that it would be necessary for them to insert effective words enabling them to do so.

Amendment proposed, in page 1, line 19, after the word "to," to insert the words "discuss or pass Resolutions, or to."—(*Viscount Wolmer*.)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE: I confess that the Amendment appears to me to be one of great importance, and I should have desired to discuss the question apart from those Party differences which under-

lay the consideration of the Bill, and in a temperate spirit, looking straight at the real difficulties of the case—the prohibition of any proposed Irish Legislature discussing certain subjects. It must not be supposed that the prohibition is merely against the passing of Resolutions, it is a prohibition against discussion, requiring the Irish Legislature to maintain absolute silence on certain subjects. I will endeavour to discuss the question with that dryness which ought to be observed in handling questions of a delicate and serious nature. Let us consider the meaning of these words. I am unable to agree with the noble Lord that the question is to be ruled by previous expressions and previous proceedings in this House. We are speaking of a Legislative Body, and in expressing the intention to withdraw certain subjects from the cognisance of that Body, necessarily I meant, in relation to the subject, legislative cognisance. I am reminded that I used the phrase, “do not act,” and undoubtedly in using those words I had in view legislative action, no act having force beyond itself, no act of a binding character. If it had been my intention to say that the Parliament of Ireland should not be allowed to discuss particular subjects, it would have been my absolute duty, in justice to the House at large, and especially to the Representatives of Ireland, to let them know that there were certain subjects on which the mouths of the Members of that Parliament must not be opened. The noble Lord has gone through a number of instances, and here I could not but remark the bias with which he approached the subject. He spoke of the great and serious danger of the interference of the Irish Legislature with matters of foreign policy. I accept the justice of the description of such interference as serious; but what interference could there be? The noble Lord spoke of the sending of an Envoy abroad; but that is what the Irish Legislature will not be able to do. Money cannot be voted and paid in any civilised country that I know of without an Act of Parliament. There must be an Irish Act to sanction the payment of every farthing. Suppose the Irish Parliament were impassioned for evil and animated by all those unworthy and hostile motives which have been

attributed to it—suppose the Members of that Parliament were incapable of using rational powers in a rational manner for rational purposes, which is the assumption of some critics of the Bill—otherwise why should it be supposed that the Irish Legislature, appointed for domestic purposes, would send Ambassadors to a Foreign Power? The Irish Legislature would have no power to pay such an Ambassador, or to accredit such a Representative to a Foreign Court, and he could not be received at a Foreign Court without being accredited. I fully admit that if the Irish Legislature were animated by this astounding spirit which is attributed to it—if it were so impassioned for evil as seems to be sometimes assumed, it would lead to much inconvenience. We have heard of paper supremacy, and of supremacy which, though declared, must be of no value. In my opinion, no course would be more unwise for the Committee to adopt than to make a declaration of power without having adequate means to support it. That you have never done. I would ask the noble Lord whether it is wise, not for the sake of the Irish Legislature, but for our own sake, to make prohibitions which we supply no means of enforcing? This we have never done. If hon. Gentlemen opposite can show any instances in which it has been done, I will be prepared to discuss them. The noble Lord has not shown any means of enforcing the prohibitions which he proposes. I would like to put it this way:—What would be the position of this House if the prohibitions which we are now asked to impose were disregarded? Those prohibitions might be flourished in the face of this Parliament, and might be disregarded by the Irish Parliament. This House would have no means of enforcing them. It would be out of the power of this House to interfere. But this is not the whole objection. There is a still wider one. I am not now opposing the prohibition on the merits. I would have no sympathy with the Irish Legislature if it should proceed to perform acts which were manifestly inconsistent with the Act of Parliament; and I would say—“If you can stop such acts without inconvenience, stop them.” The difficulty which I feel, however, is that they could not stop them; and, what is more important, we might, in the attempt to stop

them, be stopping that which we ought not to stop, and which we would have no Executive means of stopping. My first proposition is that such prohibitions could have no executory or operative means. The effect of passing an Amendment of this kind would be to place Parliament in a false position, and to expose its dignity to disparagement. I now come to another question which I consider of still greater importance. I do not know whether it is what the lawyers call *inter apices*; but what I want to know is—Are you prepared to adopt as a principle that when you appoint a Legislative Body you should inhibit that Body, as a proper portion of their arrangement with it, from doing anything except legislating? That is a thing which, in my opinion, you cannot do. I think that every hon. Member should consider this question in some such terms as I have propounded. Take the case of Canada. Would it have been desirable to prohibit the Canadian Parliament from doing anything save legislating? If you had done so and the Parliament wished to pass a Resolution, as it did pass one on Irish Home Rule, could you have enforced your authority? This subject led me to request my right hon. Friend the Chancellor of the Duchy (Mr. Bryce) to go and consult a book which I had made certain would be in the Library of the House, where the selections are, I may say in general, admirably made. The book I wanted to consult was *The Life of Lord Sherbrooke*—a most interesting book it is—in the first volume of which it is stated that the Legislative Council of New South Wales petitioned this House with regard to a matter of law—not in New South Wales, but in Great Britain. They petitioned this Parliament to allow Australian corn to be admitted on the same grounds that Canadian corn had been admitted. Is this Committee prepared to say that the Irish Legislature should be prevented from petitioning Parliament or the Crown upon any and all subjects which were excepted from its competency? Is the noble Lord prepared to prohibit the Irish Legislature from petitioning the Crown, for example, against the continuance of a war which the Irish Legislature might consider to be burdensome and unjust?

\*VISCOUNT WOLMER: I thought the Irish Members were to continue to

sit in this House for the very purpose of expressing their views on these subjects.

MR. W. E. GLADSTONE: I had hoped the noble Lord would have given me an answer, not an argument; but I presume the noble Lord does mean to prevent the Irish people from petitioning, on the ground that they are legislatively represented in this House. How far is that principle to carry? Is the noble Lord prepared to prohibit petitioning wherever there are Legislative Representatives? What, then, would be the state of the case? In one hall in Dublin there would sit the Municipal Corporation, with very limited and purely local powers; while in another hall in Dublin would sit a subordinate, but still a legislative, Assembly. The Municipal Corporation might petition Parliament and the Crown upon any and every subject; but the same power of petition would be denied to the Legislative Assembly. I do not wish to lay down any wide and sweeping proposition; but I am inclined to say that you could hardly show me a case, whatever subject or persons it affects, in which I am prepared to give the slightest countenance, or to assume the smallest participation in any limitation of the right of petition. Will the noble Lord and his friends say that a Resolution is one thing and a Petition another? Have they examined the law of Parliament on the subject? The inexorable rule of Parliament is against the noble Lord. (Turning to Mr. Bryce, Chancellor of the Duchy)—Would you just read the passage for me, please?

MR. BRYCE (reading from Sir Erskine May's book on *Parliamentary Practice*)—

"Every question when agreed to assumes the form either of an Order or a Resolution of the House. By its Orders the House directs its Committees, its Members, its Officers, the order of its own proceedings, and the acts of all persons whom they concern; by its Resolutions, the House declares its own opinions and purposes."

MR. W. E. GLADSTONE: Thank you, Sir. Now, the question is—Do you mean to stop petitioning or not? That is a serious question. The Amendment of the noble Lord is perfectly clear, because you cannot petition without discussion, and the noble Lord would prohibit discussion. I hope I have argued the question fairly. I have not said anything impugning the character of the

*Mr. W. E. Gladstone*

Amendment as one otherwise than quite worthy of discussion. I have not said that the prohibition of an abuse is an illegitimate purpose. Every abuse of power that can be prevented ought to be prevented; but I am not prepared to say that, while the mouth of every Local Authority in Ireland should be open, the mouth of the Legislative Body in that country should be closed. I need only add we are opposed to the proposition.

MR. A. J. BALFOUR (Manchester, E.): The right hon. Gentleman began his reply to the speech of the noble Lord by expressing the hope that this discussion—which must be important, and which can hardly be brief—should be conducted with dryness. I do not know whether, by that remark, the right hon. Gentleman intended to convey any implied censure upon the way in which the noble Lord presented his case; but I have seldom heard a speech in Committee in which there was more argument, and which was more admirably adapted to the occasion. Though the right hon. Gentleman, in the dry arguments he has laid before the Committee, has made quite clear the nature of his own objections to this proposition, he has not met, and has not attempted to meet, the arguments of the noble Lord. To not one of the noble Lord's arguments did the right hon. Gentleman reply, except the one connected with the sending of a Representative by the Irish Legislature to some Foreign Court, and of that he disposed by saying it would be impossible for the Irish Legislature to pay such a Representative, and, as they could not pay him, they would not send him.

MR. W. E. GLADSTONE: He could not be received without credentials.

MR. A. J. BALFOUR: I would remind the right hon. Gentleman that he was once a Member of a Government which did send to a Foreign Power a Representative who was never paid out of the Votes of the House; and what was open to the right hon. Gentleman to do without the consent and without payment by the House would evidently be still more open to the Irish Legislative Body to do, because they could do it in a more open manner than suited the policy of the right hon. Gentleman when he sent Mr. Errington to Rome. The right hon. Gentleman went on to speak of a paper supremacy. This is a paper safeguard—

“You have always objected to paper safeguards.” He added, “How can you be so inconsistent as to suggest a safeguard which you yourselves must admit could not be effectively enforced by this House?” If this is to be a possible Bill, the Government has told us over and over again that it involves a contract between the Irish people and the English people, between the Irish Legislature and the British Legislature. Is the right hon. Gentleman now going to tell the House that if we make a contract with the Irish Legislature that contract is to be absolutely worthless because it cannot be enforced? By that one argument the right hon. Gentleman has demolished the whole fabric by which he endeavours to support his Bill. We now know from his own lips, and on his own authority, what value he attaches to these contracts between the British Parliament and the Irish Legislature. True it is that, if the Amendment is carried, it will certainly not effectively and completely restrain the powers for mischief which must necessarily be given to any new Legislature created in Ireland; but it will do something towards correcting that mischief. The right hon. Gentleman got hold of some precedent of what happened in New South Wales; but there is no parallel between the Colonial case and the Irish case. My noble Friend has taken a list of subjects on which the Government propose that the Irish Legislature should legislate, and the Government says—“As they may legislate about them, they may deal with them.” Is there any similar list of prohibitions in the Colonial Acts? Is there any analogy between the Colonies and the case of Ireland? If there is such a list of similar prohibitions then they would be logical in their contention; but until there is such a list how can they bring forward the Constitution of the Colonies as an argument on which to base their action as to the list of prohibitions they introduce into the Bill? Is it not evident that the case of the Colonies and the case of Ireland are so widely different that to argue from one to the other is really wholly illusory? Then the right hon. Gentleman said—and that is the argument that appears to him conclusive against the Amendment—“Would you prohibit the Irish Parliament from petitioning the English Parliament?” Before I answer that ques-



tion directly I should like to ask the right hon. Gentleman, not for the first time, another question—Are you going to keep the Irish Members in the House of Commons, or are you not?

**MR. W. E. GLADSTONE:** I refer the right hon. Gentleman to the 9th clause, which it is our intention to propose, and to do our best to induce the House to adopt.

**MR. A. J. BALFOUR:** I confess I have never heard a more explicit statement from the right hon. Gentleman at any previous stage of our Debates. We now have it from him that the Government not only mean to propose the 9th clause, but to do their best to induce the House to accept it. These words are now on record. I am sure if they had been put on record some weeks ago a good deal of Debate would have been avoided.

**MR. W. E. GLADSTONE:** They were put on record by me in introducing the Bill, when I stated our distinct intention to propose the retention of the Irish Members in deference to what we believe to be the wishes of the House.

**MR. A. J. BALFOUR:** The distinct intention of the right hon. Gentleman in introducing the Bill seemed to be so worn away by the subsequent utterances of his Colleagues, and I must add of himself, in reference to the Amendment spoken to by the right hon. Member for West Birmingham (Mr. J. Chamberlain), that I confess I had not understood it was the intention of the Government to do their best to pass the clause in its present shape.

**MR. W. E. GLADSTONE:** I said to pass the clause which retained the Irish Members.

**MR. A. J. BALFOUR:** I admit that is what the right hon. Gentleman said; but I think I was justified in interpreting that as meaning the clause in its present shape, because the right hon. Gentleman, if he refers to his speech in introducing the Bill, will see that the only method of retaining the Irish Members other than that contained in the clause was one which he deliberately rejected when he introduced the Bill. But it is only necessary for my argument to know that the right hon. Gentleman means to do his best to retain the Irish Members; and if they are retained I do not see what function in the way of petitioning the Irish

Parliament need have at all. The proper organ of the Irish people in Imperial matters will be their Representatives returned to this House as representing Ireland, and there is no conceivable reason why the liberty of petitioning should be left to the Irish Legislature with regard to the list of prohibited matters. Therefore, by the declaration of the right hon. Gentleman that he means to retain the Irish Members, it appears to me he has finally disposed of the one argument which he appeared to think unanswerable. If the right hon. Gentleman's arguments against the Amendment appeared to be singularly weak and almost self-destructive, the strongest argument in its favour was to be drawn from the right hon. Gentleman's silence. He had to admit—and his silence was a most eloquent admission—that the noble Lord had not gone beyond the bounds of truth when he pointed out what injury might be done, not to Ireland alone, but to the whole Empire, by giving this power to the Irish Legislature. [Mr. W. E. GLADSTONE dissented.] If the right hon. Gentleman did not admit the argument he did not reply to it. Has he an answer which he has withheld? If the right hon. Gentleman has, I hope he will communicate it to some of the eloquent gentlemen who sit around him, and that at some later stage we may hear the unuttered part of the right hon. Gentleman's speech. For the present I am content to assume that, as the right hon. Gentleman has left nine-tenths of the noble Lord's speech unanswered, an answer did not occur to him at the moment. If that be so, is it not obvious that in every matter of internal administration and of external policy, in time of peace and in time of war, if there were any cause of difference between the Irish nation and the English nation, between the Irish Legislature and the British Legislature, we should, if we left the Irish Legislature with full powers of passing Resolutions, put into their hands a weapon which they would not be slow to use, and which, if used, would shatter the unity and organisation of the whole fabric of your Government? The right hon. Gentleman must know well enough—for no lesson stands out more clearly upon the face of political history—that the possession of an organised and admitted mouthpiece of public opinion, or

of any form of opinion, adds enormously to the value and weight and strength of that opinion; and if it should so turn out that in any great crisis of our national history the minority of the citizens of the United Kingdom who live in Ireland should not agree with the majority of those citizens who live in Great Britain, then you put it in the power of that minority to thwart the Imperial policy of this country, perhaps at a most critical moment of its history, and, by doing so, increase ten-thousand-fold the dangers of this most dangerous measure.

\*MR. DUNBAR BARTON (Armagh, Mid) was surprised that no Member had risen on the Government side to reply to the speech of the Leader of the Opposition. The Prime Minister had admitted that this was a most important Amendment, which ought to be considered and discussed; but that opinion did not seem to be shared by the Party of the right hon. Gentleman, for not one of its Members had risen to take part in the discussion. The Prime Minister had given four reasons why this Amendment should not be accepted. In the first place, he laid stress upon the point that if this Amendment was accepted the Irish Legislature would not be able to petition this Parliament. It seemed to him that that was a most extraordinary confusion, and that no such argument could be sustained. Every Member knew the difference between a Resolution of that House and a Petition to that House. Every Member of the Irish Legislature would still be able to petition the House of Commons; all its Members could join in signing any Petition; but what he understood his noble Friend to mean by his Amendment was that when that House took certain subjects away from the Irish Legislature it desired that that Legislature should not indulge in impotent discussions on those subjects. The intention of this Statute was that the Irish Legislature should not legislate upon the matters mentioned in Section 3, and what he understood was the Prime Minister's view was that with reference to other subjects the Irish Legislature could legislate, but with reference to these subjects it should be a Debating Society, and that these excepted subjects might be proper matters for discussion by a

Debating Society in Dublin, although they might not be matters of actual legislation by that Body. It seemed to him that the first argument of the Prime Minister about Petitions fell completely to the ground. Every man in Ireland, including the Members of the Irish Legislature, would be able to petition the House as now. All the people would be able to bring their grievances before the House as at present, and all the Amendment sought to do was to provide that the Irish Legislature should not be permitted to render the subject of fruitless discussions matters which were by this Statute removed from their jurisdiction. Another argument of the Prime Minister was that this Amendment would be impossible of enforcement. That, again, he contended, was an argument that could not be supported. If anything in the Bill would be enforceable, the Amendment would be no less enforceable. There were certain Resolutions in that House which were irregular, but the Speaker did not put them from the Chair; and just it as was within the jurisdiction of the Speaker in that House not to put such a Resolution, so it would be the duty of the Speaker of the Irish Legislature not to put a Resolution which was within these excepted subjects. Again, that House could not make an Address relating to a pending Bill, and it was no more a slight to the Irish Legislature or unenforceable to say they should not pass a Resolution with reference to these excepted subjects than it was to say that that House should be prevented by Orders and Rules from making an Address and passing Resolutions on certain subjects; and if that House could not pass Addresses and Resolutions on certain subjects, and if the Speaker could refuse to put them if brought before the House, could it be any indignity to the Irish Legislature to tell them there were certain subjects on which they should not move Resolutions or pass Addresses; and if there were such subjects, what better subjects could they be than those which that House said they were not to deal with? The third argument of the Prime Minister was that if this Amendment were adopted it would interfere with the freedom of discussion. But what did that 3rd clause do? It

interfered with the freedom of legislation; and if they interfered with the freedom of legislation on certain points, why should they not interfere with discussion on these points? Public meetings could be held in Ireland just as before on these questions, but they would, in effect, say to the Irish Legislature, "We prohibit you from freedom of legislation in reference to these particular matters, and we do not think it unwise or unnecessary to add that we prohibit you from freedom of discussion on these particular matters." Therefore, instead of there being any interference with freedom and liberty of discussion, it came to this: that the limitation of the freedom of discussion in reference to certain matters was the natural corollary, and ought to be the sequence, of the prohibition with reference to legislation. The fourth point of the Prime Minister with reference to this matter of resolution was that it was not an act. He had said he would prevent the Irish Legislature from doing acts with reference to these matters, but he said that did not cover the question of Resolutions. But the right hon. Gentleman and his Government had taught that House that Resolutions were serious matters, and were to be treated seriously, because, as he understood, the principle laid down by him and his Party—was that when that House passed a Resolution the Government ought to take some opportunity of giving effect to it. Were they, then, to understand this: that while a Resolution of that House was to be treated as a matter of importance to which the Government would give effect if it could, the Irish Parliament was to pass Resolutions with reference to naval and military matters and Treaties, which were to be of no importance, or disregarded? If, however, they were to be of importance, then the argument of the Prime Minister fell to the ground, because he would be permitting important and serious matters to be taken up by the Irish Legislature—only one degree less in importance than legislation. But there was a still more serious argument in favour of this Amendment. The history of Grattan's Parliament would teach the right hon. Gentleman that Resolutions had in that Assembly been a greater source of danger to Imperial interests than legislation. The Regency (one of the matters excepted by this

clause from the legislative powers of the Irish Legislature) was actually the subject of dispute between the Imperial Parliament and the Irish Parliament during the time of Grattan's Parliament in 1789. The Irish Parliament at that time asserted the right of differing from the Imperial Parliament on the question of appointing a Regent during the mental incapacity of George the Third. Accordingly the Irish Parliament proceeded to invest the Regent with powers differing altogether from those granted by the British Parliament, and they asserted that right not by Bill or legislation. On the contrary, Mr. Grattan said he would not proceed by Bill with reference to the matter. He well knew that if he had done so he would have had to get the Great Seal of England to an Irish Bill—even in Grattan's Parliament; therefore, he did the very thing which the Irish Legislature would do if they wanted to make themselves disagreeable to the Imperial Parliament—and proceeded by Address, which, as Sir Erskine May points out, is a particular kind of Resolution. If, therefore, they were to take lessons from history, they would not for a moment admit that there was no danger in Resolutions, because it was on account of this very power of passing Resolutions that a great danger occurred in the last century, under Grattan's Parliament, with reference to one of these very excepted subjects—namely, the Regency. These were matters which called for some reply from Members of the Government, and he appealed to the Chancellor of the Duchy, or some of his Colleagues, to make some reply to the speech of the Leader of the Opposition. They were setting up in Ireland a subordinate Parliament, and they found that in Grattan's Parliament the power of passing Resolutions was a great danger, which nearly brought the two countries into collision, and which did bring the two Parliaments into collision; that the point which caused this danger was the subject of the Regency, which was one of the matters excepted in this very clause; and how, therefore, could it be contended that there was not likely to be any danger in reference to Resolutions as to the Regency and other matters of that sort? The House ought to pause before it incurred the danger which history showed confronted the

*Mr. Dunbar Barton*

Imperial Parliament in the past. If the Government were really determined to keep these matters outside the Irish Parliament—if they were sincere in that desire—now was the time to test it. If they meant that the Irish Legislature was not to deal with all these great topics which were excluded by the clause, let them show their sincerity by also telling the Irish Legislature that they should not have the power of moving Resolutions on them and of rendering them subjects of serious discussion. Was it the intention of the Government that the Irish Legislature should be permitted to play with these subjects without doing any work with reference to them? He believed his noble Friend had performed a most useful duty in showing this great danger which underlay this particular clause. Apparently it was contemplated by the Government that these Imperial questions might become the subject of fruitless discussion and dangerous agitation in an Irish Legislature.

MR. PARKER SMITH (Lanark, Partick) said that, of course, the House accepted the explanation of the Prime Minister as to what was in his mind when he made use of the expressions which had been quoted by the noble Lord. He explained that his phrase as to allowing no act of the Irish Legislature was intended to mean no legislative act. Here were the words in the speech which the right hon. Gentleman made on the 13th February last—

“That power is subject to a double limitation, which I will describe. First of all, it is subject to the necessary and obvious limitation that certain heads are reserved to Parliament—not reserved as given to Parliament, but reserved by way of excluding the new Irish Legislature from doing any act in relation to them.”

That seemed to him most decidedly to mean from doing anything of any sort, and it appeared to him a somewhat forced construction to say that by “act” the technical words “Act of Parliament” was signified. He should have thought it would have included the power of passing Resolutions. He thought the other passage in the speech of the right hon. Gentleman delivered in 1886 was almost stronger. In his speech on the First Reading of the Home Rule Bill of that year the right hon. Gentleman said—

“I will now tell the House, and I would beg particular attention to this, what are the functions we propose to withdraw from the cognisance of this Legislative Body.”

Surely that signified an absolute and complete withdrawal. But the right hon. Gentleman now said it meant simply the withdrawal of the power of legislating. This Bill would create not only a Legislature, but an Executive for Ireland, and the acts of that Executive would be influenced not only by the legislation, but also by the Resolutions of the Legislature. If there was one thing more certain than another it would be that the Irish Executive Officers would be far more ready to carry out measures which lay on the doubtful line of the Irish Legislative Assembly if they were covered by the broad shield of a Resolution of the Irish Lower House. His noble Friend gave a large number of examples in which the various Resolutions carried by an Irish Parliament might have a very grave and deleterious effect upon this country. There was one other matter on which he should like to say a few words, and that was the question of foreign enlistment. He was puzzled to know whether that question was intended to be dealt with by this clause. They knew that any Resolution dealing with that matter might have the effect of forcing a fresh *Alabama* question upon the country, and he should certainly have thought they had learned a sufficient lesson from one *Alabama* not to desire to open the door for another similar question in the future. At any rate, it was clear that any Resolution the Irish Assembly might take in regard to that question at a critical moment would very largely affect the action of the Executive. They had heard no answer to the arguments brought forward in support of that Amendment, except that everything was to be trusted to go right, and that to suggest that things could possibly go wrong was to suggest that Irishmen in the past and future were fiends in human form. Without people being fiends, or destitute of every scrap of human virtue, they had a way of differing in opinion and taking different sides, especially with regard to great foreign questions. This difference on the part of an Irish Parliament, if it had freedom of action, might lead to disastrous consequences, and to obviate such ill effects they asked for the adop-

tion of this Amendment. As to the question of petitioning, he pointed out that the Irish people would have Irish Members there to represent their views and the right to petition would in no way be interfered with. He denied that by supporting such an Amendment hon. Members were expressing unworthy distrust of the Irish people. He felt just as much confidence in Irish gentlemen as anybody else. He felt, as the Chancellor of the Duchy said in a recent speech, that they were neither saints nor devils. They had, perhaps, rather more of human nature in them than other people. When they gave powers to a man he used those powers not in any spirit of malice or wickedness, but he would naturally use those powers for the purpose of obtaining what he believed to be his rights. This Bill was to give to the Irish Nationalists one-half of the loaf they desired. It gave them certain powers subject to very large and definite restrictions. What the Irish Nationalists had contended all along was that Ireland was a nation. They found that their claim to be a nation was acknowledged by the Front Bench; but, all the same, their rights were not the rights of a nation, but were subject to all kinds of embarrassing restrictions. If history could teach them anything, it seemed to him to teach them this: that when they put men into that position they would feel themselves bound to use the powers that had been given to them for the purpose of getting what they (the Liberals) have acknowledged to be their rights, and what they would think was wrongfully and weakly withheld as a concession to the prejudices of the British people. The supporters of the Amendment were justified in demanding that the British people should be safeguarded against the consequences of such a use of the measure, and he trusted that the Amendment would be accepted.

MR. GRIFFITH BOSCAWEN (Kent, Tunbridge) said, for the third time they had no attempt on the part of Her Majesty's Government to answer the objections and arguments of Members on the Opposition side. Nor did any Member of the Nationalist Party rise to support the views entertained on this question by the Prime Minister. He was rather surprised at the silence on

the Ministerial Benches. He doubted whether this silence was due to the fact that the Government and their Irish friends were in a desperate hurry to get this Bill through somehow.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. BOSCAWEN (resuming) said, as he had already declared, his view was that it might be doubted whether the Government were anxious to hurry through the Bill. However, he thought it would be admitted that no rational grounds had been advanced to show why this Amendment should not be accepted. At the General Election the country certainly understood the Prime Minister to say that the Irish Legislature should not have power to discuss and pass Resolutions on the subject it was precluded from legislating upon; and the opinions of some of those who supported Home Rule would certainly be changed when they found that, by the non-acceptance of this Amendment, the Irish Legislature would be able, by discussing and passing Resolutions, to obtain further concessions. The power of passing Resolutions, as exercised by Grattan's Parliament, was used to the detriment of the Imperial Parliament and of Imperial interests; and it would be dangerous to have an Irish Legislature passing Resolutions on subjects upon which they were forbidden to legislate. If, as the Prime Minister said, they could not restrain the Irish Legislature from discussing and passing Resolutions, how could they enforce prohibitions against legislation upon excepted subjects? How could they enforce any prohibitive sentence in this Bill? How could they enforce the declaration that the supremacy of the Imperial Parliament was not to be impaired? To say that the Amendment could not be enforced was to give away the whole of the declared intention of the Government. The Amendment would stand precisely upon the same footing as the exceptions in the clause. If it was impossible to prevent the Irish Parliament from passing Resolutions, it would be equally impossible to prevent their passing laws. Had the power of Local Bodies to pass Resolutions been beneficially exercised? The Boards of Guardians in Ireland had neglected their proper

business in order to discuss evictions and the tyranny of landlords, with which they had nothing to do——

MR. FLYNN (Cork, N.): How about the Grand Juries?

MR. BOSCAWEN said, there could be no doubt that the Bodies he referred to had wasted time in discussing questions that did not come within their business cognisance, and that to the neglect of the regular business which they were appointed to discharge. It was very difficult, owing to the action of these Bodies, for the authorities to enforce the law. But they had examples nearly as flagrant nearer home. During the tithe agitation in Wales the County Councils could not proceed to their proper business without first discussing whether there ought to be an Established Church in Wales and whether the police ought to be allowed to attend distraint sales. At every meeting resolutions were passed in favour of Disestablishment and against the police attending tithe distraint sales, which were necessary to the carrying out of the law; and then the regular business was done in a hurry at the end of the meeting. It never entered into the head of anybody who voted for Home Rule that the Irish Legislature would be allowed even to discuss such matters as Foreign Treaties, such matters as the Crown or a Regency; and without this Amendment the clause would leave a dangerous power in the hands of the Legislature; and, when England might happen to be in difficulty, the working of such a clause might lead to Imperial disaster. He should support the Amendment.

\*MR. H. HOBHOUSE (Somerset, E.) said, one of the remarkable features of that Debate was that all the argument was on one side; but perhaps the Chief Secretary for Ireland (Mr. J. Morley) would redress the balance when he came to address the House——

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): No, no!

\*MR. HOBHOUSE said, the Prime Minister, in the speech which he had delivered early in the evening, had shown a full sense of the importance of the Amendment and of the extreme difficulty

of meeting it. The right hon. Gentleman adduced two arguments—the first dealing with the power to discuss and pass Resolutions; and the second with reference to the right of Petition. It was an ominous reflection that the Prime Minister had admitted that he proposed to create a Parliament, the action of which he could not control to the extent of preventing it from discussing and passing Resolutions. He had told them that in his view the Irish Legislature should be the organ of the general voice of the Irish people. If that was the view of the Prime Minister and the Government, they ought not to have introduced this clause into the Bill at all. There was no doubt that over and over again, in the clause, subjects were mentioned in which the people of Ireland would be most legitimately interested, but which, nevertheless, the Government asked the Committee to prevent the Irish Legislature from legislating upon. These arguments, if they were valid at all, went a great deal too far. They were directed not only against the power of passing Resolutions, but also against the power of making laws. Some of these Resolutions might have an extremely important bearing on the action of the Irish Government. There had recently been a very striking illustration in that House of how the action of a Government might be affected not by passing laws, but by passing a Resolution—he referred to the Resolution passed after a very short discussion a fortnight ago, on which the Lord Chancellor was pledged to act in creating Justices of the Peace throughout the United Kingdom. That would reverse what had been the established practice time out of mind. The natural way of reversing such a practice in a Constitutional country would be by passing a law with the consent of the two Houses of the Legislature and of the Crown. That course, however, was not taken, and it was, at least, possible to conceive that there might be similar action on the part of the Irish Government in the future. There would be a much more potent reason for such action actuating a new Irish Government, for they, instead of representing the majority in a Sovereign Parliament, would be “cribbed, cabined, and confined” by a law

imposed from without—the alien law of the Imperial Parliament coming in, what the Prime Minister had once called, a “foreign garb.” Under those circumstances, the Irish Administration might be disposed to take the Resolution either of one House or, if they liked it better, of both Houses of the new Legislature, and act on it to the best of their ability. And yet they were told that the intention and wish of Her Majesty’s Government was to prevent the Irish Legislature from passing any Act which would be binding in respect of the various matters mentioned in the section. He would allude to a few things which might be done in this way by Resolution. His noble Friend had suggested that in the case of a Regency the Irish Government, acting on Resolution, might proclaim a different Regent from that recognised by this country. Then, the Irish Parliament might release an *Alabama*, acting on a Resolution of the Legislative Assembly—an act which might very well involve not the Irish Government, but the Imperial Government, either in a foreign war, or in compensation to the tune of several millions of money. Surely that was a matter which concerned the taxpayers of Great Britain. It was not a matter of small importance, and he ventured to think that an Irish Government who refused to act on a Resolution of this character passed in deference to the feeling of the American friends of the majority in the Irish Parliament would incur great danger of being hurled from power by that majority. They might establish a Volunteer Force, conclude a secret Treaty with America or any foreign country, or extradite political prisoners without the protection of the Extradition Laws. They might release treason-felony prisoners whom the majority of the Irish Parliament might think unjustly sacrificed to the law of the Imperial Parliament. In fact, a very large number of instances might be mentioned in which the most serious acts of policy might be taken on the strength of a Resolution, and would be taken, because the Irish Government would depend for their power on the very majority which passed the Resolution. It was an important fact that a large part of the clause was concerned with things that could naturally be done without any

legislative action whatever on the part of the Legislature. They (the Unionist Party) had been accused, and not for the first time, of attributing to the proposed new Legislature improper motives, because they suggested that the Members of that Legislature might not only be willing but anxious to go beyond the functions conferred upon them by the Bill and enter into relations with Foreign Powers. Surely, considering the remarkable relations which existed at this very moment between one of the Parliamentary Parties in the House and the large body of their friends and relatives in America, it was not beyond the bounds of ordinary expectation to expect that they would wish to show their gratitude and make an adequate return for the favours they had received and the favours they undoubtedly would continue to receive from the other side of the Atlantic. Nothing, to his mind, was more probable than that action would be taken to enter into closer relations with some Foreign Powers—with Rome, for instance, seeing that the majority of the Representatives would be, to a great extent, controlled by the Catholic priests. Money could not be voted for the purpose, but it would only be necessary to pass a Resolution on the subject, and the Government would be bound to find the means for establishing these diplomatic relations. With America and Rome an Irish Parliament would be almost certain to establish close relations. It had been pointed out that elective bodies in Ireland at present discussed and passed resolutions on political questions. That was true, and, if he remembered rightly, some Irish Boards of Guardians had been suspended for neglecting their proper business for matters outside their proper functions—matters such as the evicted tenants and the Coercion Act. He did not suppose his right hon. Friend the Chief Secretary would be willing to suspend the Irish Parliament for such neglect of duty, as he had ridiculed the suspension even of a County Council that did not perform its duty. But in creating a brand new Body with brand new functions they were bound to take into consideration the possibility of their not confining themselves to their proper duties and sacrificing the interests of the public by discussing and passing

Resolutions on subjects with which they had nothing to do. It was said that the proposed prohibition could not be enforced. But should the Irish Legislature be as orderly as it was always represented to the Committee that it would be, there would be no difficulty in enforcing this proposed prohibition; because when a Resolution on a forbidden subject was proposed, all that the Speaker or Chairman would have to do would be to call the Member proposing it to Order. Judging from the respect for order now exhibited by Nationalist Members when Unionists were attempting to depart from the strict ruling of the Chair, they might rest satisfied that if this prohibition were introduced it would meet with ready acceptance from the Members of the Irish Legislature. He ventured to commend the Amendment from two points of view—first, that of those who thought that the new Body was very likely indeed to exceed its functions and to be disorderly; and, secondly, from the point of view that nothing was likely to be more businesslike or orderly than the new Body. From whatever point of view the matter was regarded, the Committee would see that if they inserted a clause for the purpose of prohibiting the Irish Legislature from passing laws on particular subjects it was only reasonable and logical and consequential to forbid them from passing Resolutions on similar subjects—Resolutions on which a Government would be bound to act if it wished to continue a Government.

MR. RENTOUL (Down, E.) thought that this discussion was about the most valuable that had taken place since the Bill was before the House, because it had brought to notice certain matters with a clearness that they had not attained to before. It seemed to be admitted on all hands that there was no power under the Bill to prevent the dangers which the noble Lord who moved the Amendment had so eloquently pointed out. The Prime Minister had frankly admitted it. The reality and greatness of those dangers must have struck every Member who had listened to the noble Lord's speech, for he showed that safeguards were useless—if, indeed, it was necessary to point out the fact to the House, seeing that the Ulster Members had always maintained their uselessness, and had declared that they would

rather be without them. One important point which had been gained was a deliberate statement from the Prime Minister that, if he could, the Irish Members would be retained in that House. But if the Irish Members were to be retained to the number of 80, which would be the full representation to which Ireland was entitled, it would be quite unnecessary for the Irish Parliament to indulge in petitioning. The noble Lord had called attention to several important matters which might become the subject of discussion and Resolution in an Irish Parliament. He had first called attention to Resolutions as to the Crown and the succession. He had pointed to the well-known fact that Grattan's Parliament had actually discussed the question of the Regency during the illness of George III., and had come to a Resolution as to how it should be filled up. The noble Lord had also referred to the power of the Irish Parliament to pass Resolutions with regard to making war. They had seen Resolutions of that kind before. They had had illustrations of such things so frequently that it was not wonderful that they should expect that Resolutions in this direction would be proposed in an Irish Legislature. There was a gay and festive locality called Letterkenny, which owed its notoriety to the fact that the senior Member for the City of Cork (Mr. W. O'Brien) made a speech there while war was going on between this country and another during the term of Office of the Prime Minister, and the audience very largely cheered the Power with which we were at war. That being so, and the sentiments of that constituency having been expressed with great unanimity, it would not be wonderful if in the Irish Legislature the Member for that part of East Donegal in which Letterkenny was situated proposed a Resolution of sympathy with such a Foreign Power. Then, again, the noble Lord had called attention to the matter of sending Envoys and Ambassadors to foreign countries. Many Members of the House had not had their attention turned to this matter before. It came as a surprise to most Members of the House to learn that the Irish Legislature could send Envoys or Ambassadors to a Foreign State. Could anyone imagine that the Irish Parlia-



ment, composed, as it would be, mostly of Roman Catholics, would not send an Envoy to Rome? He did not think they would be true to their convictions if they would not. These things had been pointed out, and the Prime Minister had risen in his place and had admitted the gravity of every one of them, and his answer was that they could not possibly be prevented. With that statement they must all agree. They did not think it would be possible to prevent those dangers; they did not believe that the Imperial Parliament could control the Irish Parliament in any possible way; and, that being so, he accepted the Prime Minister's statement most fully. Then the right hon. Gentleman said that the Canadian Parliament had passed a Resolution in favour of Home Rule, and that we should only have stultified ourselves if we had attempted to interfere. That was absolutely true. We had no power over the Canadian Parliament. Canada was, for all practical purposes, totally separated from us, except in the matter of that which was called the golden link of the Crown. Were they going to give to an Irish Parliament the same powers as the Canadian Parliament possessed? If so, the fact ought to be stated, so that Members might know where they were. If the analogy was to be taken from Canada or Victoria, or any other Colonial Parliament, the Committee should know it. The Prime Minister asked if they would prevent the Irish Parliament from exercising the right to petition—a right which every Vestry and Local Board and other small authority possessed. And if, said the right hon. Gentleman, they permitted the Irish Parliament to petition, as a necessary consequence they must allow them to discuss the subjects upon which they would petition. That was true; but, without interfering with that right, a clause could be inserted in the Bill preventing the Irish Legislature from passing Resolutions on prohibited questions, and providing that the Speaker or Chairman should not put such Resolutions from the Chair. In this respect the presiding authority in the Irish Parliament would only be following the example of the Chairman of the London County Council, who, when a resolution was moved in respect of meetings in Trafalgar Square, refused to submit it to the

Council on the ground that it was *ultra vires*. A clause might be inserted in the Bill declaring that if the Irish Parliament and Irish Members wandered into forbidden bye-paths of discussion, nevertheless no Resolutions founded on those discussions should be put from the Chair. The Prime Minister had said that if men set themselves deliberately to do wrong and go away from their contracts there was no power to restrain them—whilst declaring it to be his desire to safeguard the minority in Ireland, the right hon. Gentleman said it could not be done. He seemed to think there was only one thing to be done—namely, to trust to the majority of the Irish people. Well, he (Mr. Rentoul) did trust those who would form the majority in an Irish Parliament absolutely. He trusted them to make thorough good use of this Bill when they got it, and to do their best to bring about that which they so much desired—namely, total separation between this country and Ireland. On these points he trusted them, but on the other point, in regard to the loyal minority in Ireland, he had no trust in them whatever. For these reasons he desired to support the Amendment of the noble Lord, and to impress on the Government the duty of inserting in the Bill some clause which would prevent these Resolutions being passed in the Irish Legislature.

\*MR. FREEMAN-MITFORD (Warwick, Stratford) said, that no part of the speech of the Mover of the Amendment was more convincing than that in which he showed the possibility of the Irish Legislature establishing relations with Foreign Powers. The Prime Minister, in his reply, had raised two objections. He had objected, first, that there would be no power on the part of the Irish Legislature to pay Envoys; and, secondly, that, unless such Envoys were properly accredited and had credentials, they would not be received by any Foreign Power. His right hon. Friend the Leader of the Opposition dealt effectively and thoroughly with the first of these objections. He showed how Missions had been sent before now without Parliament having been called upon to vote a penny towards their support, and he had given one instance. But, in the case of Ireland, it would not be necessary for the Irish Parliament to vote any money

towards the expense of a Mission that might be undertaken to make representations to, or communicate with, the enemies of England. Whenever Ireland had needed money to inflict an injury on England that money had been forthcoming without making any call upon Ireland. As regarded the question of credentials, supposing that the Irish Parliament desired to send Envoys to a Power with which England was on friendly terms, no doubt that Power, acting loyally by us, would refuse to receive Envoys from the Irish Parliament, unless they were backed by credentials from the English Government. But supposing that we were not on friendly terms with the Government to which Ireland desired to send Envoys—supposing there were strained relations, that we were even on the eve of war, that the issues of peace and war were under discussion, who could doubt that, at such a moment, Irish Envoys, coming with a message from the traitors in the camp, would be received with open arms? That would be their opportunity. England's difficulty would be, "under the blessing of Providence," as was, he believed, said by the Member for Clare, once more Ireland's opportunity; and it would be exactly when relations were in the most difficult stage that the Irish Envoys would come further to embarrass our Ambassador or Minister. That was the great danger with which they would have to contend. He was not speaking of an imaginary danger, for he had seen something of these things in the course of a tolerably long diplomatic career. He had seen men sent over by the enemies of the Government that happened to be in power in the country to which they belonged, and he had seen how they embarrassed the Ambassadors who were acting for their own country, and were alone holding full powers. There were times when friendly relations between two countries might be imperilled by these unauthorised and amateur diplomatists. That was a great and real danger. Imagine a Mission sent out to America, such as the Mission undertaken so ably by the right hon. Gentleman the Member for West Birmingham some time ago. Suppose that our Representative arrived at Washington to carry out difficult and delicate negotiations, but that, at the

same time, the Member for Louth or the Member for North Kerry came out on behalf of the Irish Government for the express purpose of throwing sand and grit in the wheels of the coach of the English Representative. How would that act on the negotiations? Would the English Representative not be sorely impeded? He took leave to think that no diplomatist, however able, could afford to neglect the danger of such intrigues going on around him. In the case of the Mission of the Member for West Birmingham there was a friendly negotiation between two friendly Powers anxious to arrive at the solution of a difficulty which they both acknowledged. In a case like that the intrigues of unauthorised persons might not be effective, though they would always be embarrassing. But how would it be in a case of peace or war? How would it be if a Foreign Government dealing with our Minister or Ambassador at a moment when the fate of nations hung in the balance found that there were men on the scene nominally subjects of the Queen, but, in fact, traitors in the camp, who were ready to assist to the utmost of their power the nation with whom we might be in difficulties? He held that this was a most real and a most vital question in regard to the proposed Legislature. If this clause stood in its present form they would have in it—as, indeed, they had in every part of this disastrous measure—a standing danger to England. It was a danger that they could not afford to neglect, and he ventured to think that any hon. Member who would carefully consider the points which might be raised under that clause would see that it was a clause which he could not vote for without adding to the difficulties and dangers of this country precisely at moments when those difficulties and dangers might be most pressing.

MR. HENEAGE (Great Grimsby) said, he did not rise to go into the details of the question, because at the present moment the noble Lord the Member for Edinburgh had made a statesmanlike speech which had not been answered on any single point. The Prime Minister had contented himself with referring to one or two matters which were, perhaps, *à propos* to the subject under discussion, but without dealing with the questions raised by the noble Lord. The right

hon. Gentleman had mentioned Petitions, but the right hon. Gentleman the Leader of the Opposition had satisfactorily dealt with that point. The whole question was what was to be the representation of the Irish Members in the House. If the Irish Members were to be retained at Westminster, the constituencies would have the same right of presenting Petitions to this House as they had now. He thought the Committee had derived one advantage from the discussion, for they had heard something which they did not know before. They now knew, from what was said, and what was not said, by the Prime Minister, that Ireland would be represented in its full strength of 103 Members within the Imperial Parliament. It might be assumed from the remarks of the right hon. Gentleman that he fully intended to accept the Amendment of the hon. Member for Northampton (Mr. Labouchere), so that the Irish Members would not only be supreme in College Green, but at Westminster also, over English, Scotch, and Welsh concerns. He doubted whether the Government would find a great number of their supporters to vote for such a proposal; and the Scotch Members especially were pledged to the eyes against Ireland having any such representation after she had a Parliament of her own. The Prime Minister argued that if the Amendment were carried there would be no means of putting it into effect; but if that argument was a good one against the Amendment, it was equally good against the clause as it stood. If it were impossible to prevent the Irish Parliament from passing Resolutions and voting money, it would also be impossible to prevent their making laws, except by the force of arms, and that meant nothing short of civil war. In fact, what the Prime Minister had said constituted the very strongest argument against the Bill that had been used throughout the whole Debate. The right hon. Gentleman had thrown away the whole case for the Bill, and had admitted that there was no power in the world by which the British Parliament could effectually maintain its supremacy. It was clear the noble Lord had not exaggerated the importance of the point with regard to Foreign Envoys. Many Envoys who had performed great service for this

*Mr. Heneage*

country had been sent out without being paid; and why should that not be done in Ireland, especially if the Executive, in sending them out, were acting on the authority of a Resolution of the Irish Parliament? This question, to his mind, was most important. He did not think that either this clause or Clause 4 would be of the slightest use so long as the Executive power in Ireland had unlimited influence. If the Irish Parliament was to have the power of passing Resolutions its hands would be materially strengthened if at any time it desired to set at defiance the power of the Imperial Parliament.

COLONEL SAUNDERSON (Armagh, N.) said, that when this Debate was spoken of in the future, it would be described as "the lop-sided Debate." The discussions on the Bill consisted, as a rule, of many speeches from the Opposition and one speech from the Prime Minister. The present Debate was an instance in point. The Amendment, which had been moved in a speech of such conspicuous ability, raised a question not so much of Irish as of Imperial interest. He was bound to confess that if the Bill could be shown to affect only Ireland, he believed it would have much more chance of being accepted by the country, which, as it was, it never would be. The country was beginning to see, and would see more and more as these Debates went on, that the question was not simply an Irish Question, but that Irish affairs were inextricably mixed up with Imperial affairs; and the opinion was, therefore, gaining ground that it was beyond the power of Parliament to disentangle them. The noble Lord who moved the Amendment was answered by the Prime Minister. The right hon. Gentleman had practically taken all the rhetorical efforts out of the hands of his Colleagues, and he supposed the reason was that none of them exactly knew what the right hon. Gentleman meant. Members had thought that evening that they had got an authoritative declaration from the right hon. Gentleman in plain English, but the right hon. Gentleman jumped up two minutes afterwards and informed the Committee that he did not mean what he had said just before. If the right hon. Gentleman did not himself know what he meant, how could his Colleagues

be expected to know. The right hon. Gentleman had only touched one of the arguments used in the noble Lord's speech, and that was the very last one he ought to have touched, for it related to sending an unpaid Envoy to represent the Government at a Foreign Court. The right hon. Gentleman forgot Mr. Errington, who was sent to represent the Government at a Foreign Court, and paid no one knew how. He (Colonel Saunderson) had been glad to learn from the lips of the Prime Minister that he looked upon the speech and the Amendment as serious. By that he understood the right hon. Gentleman to mean that he did not intend to move the Closure before 10 o'clock. But, although the right hon. Gentleman looked upon it as a serious Amendment, he studiously avoided meeting a single one of the arguments brought forward by its Mover, with one single exception. Still, the right hon. Gentleman's speech was important, because it amply justified the speeches which had been made by Members of the Opposition in support of various Amendments. The right hon. Gentleman asked what power there would be of giving effect to the Amendment if it were embodied in the Bill. This was what the Opposition had been asking the Government all along with reference to their safeguards. They had pointed out that even if the Bill were saturated with supremacy, the saturation would be of no good if there was no power to give effect to it. The Prime Minister said that the Amendment, if adopted, would be an isolated statement of absolutely no value. But he (Colonel Saunderson) understood that the Amendment was to form the foundation for the introduction into future clauses of the Bill of very clear and definite legislation which would give effective power to the statement which the Committee was now asked to accept. Certainly, isolated and alone, a declaration of the kind would be of absolutely no value. ["Hear, hear!" *from the Nationalist Members.*] He was glad that the patriots below the Gangway agreed with him. The reason they did was that they knew that the words which were embodied in the Bill for the purpose of maintaining the supremacy of the Imperial Parliament could not be of any value. The Prime Minister said

that the way we had dealt with Canada and Australia ought to give the Committee courage to pass this Bill. The suggestion of the right hon. Gentleman was that the relations of Ireland with the Imperial Parliament should be the same as those of the Australian Colonies, which were on the other side of the world, and the Dominion of Canada, which was on the other side of the ocean. He thought that very few of the supporters of the Government were returned to Parliament at the last Election on the understanding that the Home Rule Bill would be one that would place Ireland in the same position as Australia or Canada. He wished to look at the Amendment, however, not so much from an Imperial as from an Irish point of view. Any Amendment which would have the effect of restraining the authority of the Irish Parliament would, as far as it went, be an improvement. If they were to have a Home Rule Parliament in Ireland, and if that Parliament was not to be destructive of the liberties of the Irish people and ruinous to the peace and welfare of the Empire, there ought to be created by legislative enactments and restrictions a sort of legislative paddock carefully walled and restricted—a kind of legislative menagerie, in which Land League legislators might carry out their varied forms of legislation without danger to other people and only with danger to themselves. That was the only reason why he voted on any of these Amendments. The more power that was given to the Irish Parliament the worse it would be from the point of view of the Irish Loyalists, and they proved this conclusively by what their future rulers had said and done in the past. It was because the Amendment had a restrictive tendency, and because if the House had any common-sense left it would be enforced hereafter by other clauses, that he thought it deserved the support of the House. The Opposition were anxiously waiting for light on these points—not from the Radical Party, who dare not speak, but from high authorities on the Treasury Bench. It must surely have struck the Committee with sorrowful amazement that the greatest authority on Parliamentary procedure—the Chancellor of the Exchequer—had not only been conspicuous by his absence from the Debates, but had

been absolutely dumb up to the present. Knowing what they did of his past history, and the great reputation he had made as a Constitutional authority, they had surely a right to expect and hope that the right hon. Gentleman would let loose the floods of information which he had boiling up inside him, and pour it out to satisfy the thirsty Opposition. But they had utterly failed to draw a word from the right hon. Gentleman. The whole affair of defending this Bill had fallen upon the Prime Minister, although he (Colonel Saunderson) did not believe he was its author. Its author was just going out of the House. [Mr. Bryce had just risen from the Treasury Bench.] The Prime Minister, charged with the Constitutional lore which his Colleague had gathered in every corner of the earth, generally got up and answered the arguments advanced against the Bill with declamatory ridicule and contempt. The right hon. Gentleman had, however, admitted that the question raised by the present Amendment was too great to laugh at and deride in the House of Commons. The right hon. Gentleman, from the serious character of his speech, appeared to realise that the mind of the country was becoming awake to the fact that the dearest and deepest interests of the Empire were at stake, and that the noble Lord had pointed out dangers and difficulties that must inevitably arise when an alien Parliament and an alien Government, composed of men who now sat in this House, and who were now supported by the money of foreigners on the other side of the Atlantic—

THE CHAIRMAN: I must recall the hon. and gallant Member's attention to the Amendment.

COLONEL SAUNDERSON said, he at once bowed to the Chairman's ruling, and would allude to the speech of the Prime Minister. The right hon. Gentleman dealt at great length with the idea of sending an Ambassador to a Foreign Court, and said that he could not conceive that the Irish Government would be so impatient for evil as to adopt such a monstrous course. [An hon. MEMBER: Impassioned for evil.] Well, impassioned for evil. That was equally understandable. At all events, his compatriots had been very open in their

declarations. Though they never spoke inside the House, they did outside, and they had very clearly laid it down that there was no finality in the Bill. It was because the restrictions which this Amendment proposed to place upon the Irish Parliament, followed by others, might have the effect of making this Parliament, if it ever existed, less potent for evil that he supported the Amendment.

MR. J. CHAMBERLAIN (Birmingham, W.): I think that those who have listened to the Debate, opened as it was by the noble Lord the Member for West Edinburgh in a speech of great merit and ability, will acknowledge that on the whole it has been extremely instructive, and has thrown considerable light upon the spirit in which the Government have entered upon their great undertaking. I will also say that it contains a lesson to those rather impatient Members of the House who desire to see a Bill of this importance disposed of in a few days. Here we are on a very early stage of the Bill, and a discussion has been raised the importance of which cannot be denied. It would, therefore, be a monstrous thing if such discussions, tending as they do to enlighten the public as to the character of the Bill, were to be shut out by anything like a ruthless application of the Closure. I do not believe the right hon. Gentleman the Prime Minister has any sympathy whatever with those ardent spirits. He has proposed and carried many Bills in this House, and he knows that it is a part of the traditions of the House to give Bills of importance a fair consideration. But when the Government propose a Bill to create a new Constitution and to destroy an old one, we must expect rather more than the ordinary time for consideration. Anyone who doubts the importance of the Debate that has been raised would have had those doubts removed had he listened to the speech of the Prime Minister. The right hon. Gentleman did not deny the importance of the question. On the contrary, he put it in a category by itself as one of those subjects which he himself desired to treat with dryness, and he recommended that others should treat it in the same way. There are many subjects brought forward in this House

*Colonel Saunderson*

which my right hon. Friend never treats with dryness, and, therefore, it must be a subject of an altogether exceptional character which requires that exceptional treatment. If this matter is to be treated with dryness because it is a proposal for limiting freedom of discussion in a Parliament which has yet to be created, then I would only say in passing how much more dry must be the treatment of any proposal to limit discussion in a Parliament which already exists. I now come to the proposition which my right hon. Friend has shown to be of great importance. Let us see what the position of matters really is. My right hon. Friend proposes to pass a Bill to give to Irishmen the management of exclusively Irish affairs. How many hon. Members are there behind him who have pledged themselves in the country that that is all they intend to do—that they will not go one atom beyond it—that they will not allow the Irish Parliament to meddle, even by one jot or tittle, in affairs that are Imperial? Unity of the Empire is to be preserved, and that is to be attended to by the Imperial Parliament. The Irish Parliament, a subordinate Parliament, is to deal only with exclusively Irish affairs. My right hon. Friend, as has been explained by the Mover of the Resolution, proposes to secure that result by refusing to the Irish Parliament cognisance of any affairs which are not exclusively Irish. My right hon. Friend has attempted to-night, I think without sufficient consideration, to minimise the importance of his statement, because he has said that when he spoke of not allowing the Irish Parliament to take cognisance of matters other than those which are purely Irish, he only meant by Act. That would be playing with the House, and, what is more important, it would be playing with the country. To allow an Irish Parliament to deal with Imperial affairs by Resolution, when you pretend that they shall not deal with them by Act of Parliament, is to allow this interference with Imperial affairs to come in by a side door when you refuse to allow it to come in by the front door. It is absolutely impossible that the Prime Minister can keep faith with the public, and establish a Parliament in Ireland dealing exclusively with Irish affairs, if it can be shown that by his proposal this Irish Parliament can—and, of course, pro-

bably will—deal with Imperial affairs. My noble Friend the Member for West Edinburgh has shown, under almost every head of the excluded subjects, that the Irish Parliament will be able to deal by Resolution with those matters with which it cannot deal by Act of Parliament. One would have thought, under those circumstances, that the Prime Minister would at once have accepted the Amendment, or that if he objected to its terms he would have suggested a variation of them. He might have suggested such an alteration as would have provided that the Irish Parliament should not deal with these forbidden matters either by Resolution or Act of Parliament. That would have been more consistent than the position occupied at present by the Government. But how did my right hon. Friend meet the noble Lord who moved the Amendment? The noble Lord showed on half-a-dozen different points that it would be possible, on critical and important occasions, for the Irish Parliament to interfere by Resolution, to the great disadvantage of British interests, in Imperial matters. The Prime Minister, however, referred to only one of those matters, and that was the suggestion that if the Irish Parliament was so disposed it might send Envoys to foreign countries, though it would be prohibited from making Treaties, and would thus hamper and embarrass British diplomacy. What was the answer of the Prime Minister? He simply said that those Envoys could not be paid, and could not be accredited. Permit me to say that that was a purely technical answer. There are many indirect ways in which payment could be found, and many Envoys have been rewarded in one way or another—in this country by Baronetcies. But in Ireland some good fat office may no doubt be the indirect reward for such services, although, of course, it is perfectly well-known that every patriotic Irishman is willing to serve his country for nothing. But my right hon. Friend the Prime Minister says that the Envoys would not be accredited. Let me remind him, however, that Mason and Slidell were not accredited, and yet if they had not been taken *en route*, their presence in this country would have been extremely inconvenient to the Northern States of America at that time. I will take

another case. What about Franklin and our Colonies? Franklin was not accredited when he went to France, before that country recognised the United States, and yet he was successful in obtaining the recognition of his country and of at length getting himself accredited, and in procuring an alliance between France and the United States against this country. I merely refer to these facts for the purpose of showing how very weak the argument of my right hon. Friend is even as regards the one point out of the six which the noble Lord put forward, that my right hon. Friend selected to deal with. My right hon. Friend suggested that another answer to the arguments of the noble Lord—an answer the spirit of which we have heard of before, and of which, doubtless, we shall hear again. My hon. and gallant Friend opposite quoted the words of the Prime Minister, in which he said, “You assume that the Irish are impassioned for evil.” My right hon. Friend admitted that if the Irish Parliament were inclined to do perverse things, if they were going to use their rights for improper purposes, no doubt they might make themselves extremely inconvenient. This is a point upon which the throwing of a little dry light may be very useful and necessary. Why does my right hon. Friend say that we believe that the Irish Parliament will be impassioned for evil if they adopt a foreign policy which may be opposed to the foreign policy of this country? I wish that my right hon. Friend would sometimes look at these matters from the point of view of a patriotic Irishman. Why should the Irish Parliament be impassioned for evil, if, hereafter, when we get into some trouble with a foreign country, they sympathise with that country rather than with ourselves? My right hon. Friend must not forget that the iron has entered into their souls for the last 700 years. Does my right hon. Friend believe that he can pull that iron out in the course of seven years? On the contrary, my right hon. Friend has himself done something to drive the iron in still deeper. Is it not possible that, after my right hon. Friend, some Body may arise who may have differences with the Irish Parliament, and who may treat that Body in regard to Imperial matters with scant respect; and how can we, in such circumstances, expect that

Parliament to be in entire sympathy with our foreign policy? Would it be fair for us in that case to accuse the Irish Parliament of being impassioned for evil because they took a view of events that was opposed to our own? I accuse my right hon. Friend of acting with extraordinary levity when he proposes to place the very existence of this country at the mercy of the Irish Parliament. [*Cries of “Oh!”*] Hon. Members who sit upon the Ministerial Benches may ridicule my remarks, but they are not the men who made England, though they may be indifferent to the chances of its destruction. We may well be indignant at the charge of obstruction that has been brought against us when we are determined to discuss these matters. Upon what basis are you creating this Parliament for Ireland? You are doing so on the ground that Ireland is a separate nation, and therefore ought to have a separate Parliament of her own. Therefore, we ought not to have any sentimental talk about that Parliament being impassioned for evil in case they should act as though they were the Parliament of a separate nation. We do not accuse France of being impassioned for evil because she takes a different view of Siamese matters from what we may happen to do. It is not only probable—it is absolutely certain—that the Irish Parliament will, in the future, as Irish Parliaments have done in the past, take a different view of foreign policy from our own. Therefore, if the Irish Parliament is allowed to discuss and to pass Resolutions with regard to our foreign policy, it will seriously hamper and embarrass us at a time when, perhaps, we may be in a position of great difficulty. This is a real danger to us. Does any man in this House believe that, if we went to war with France, an Irish Parliament would not, if it had the power to do so, pass Resolutions in opposition to our foreign policy? This is one of the most serious questions that the House of Commons can discuss. I ask with great confidence whether any impartial man, quietly considering the possibilities and the probabilities of the case, can doubt that an Irish Parliament, influenced as they would be both by tradition and by interest, would not sympathise, in such a

case, rather with France than with this country? Can we conceive anything which would do more to weaken the arm of England than to have such a Parliament within our own borders passing Resolutions opposed to our policy in such a case? It is not necessary, in such an event, to accuse the Irish Parliament of being impassioned for evil, or of possessing a double dose of original sin for taking that course. On the contrary, viewed by the dry light of reason, it is the most probable thing that they would do. We have had Irish Parliaments before, and we know what course they are likely to pursue in the future. In my opinion, the answer which my right hon. Friend has attempted to make to the arguments of the noble Lord is most inadequate. My right hon. Friend said that there was no restriction in this matter upon the Colonial Legislatures. We know that the Canadian House of Commons passed a Resolution sympathising with Home Rule. But does not that raise once more the difference between our Colonies and Ireland? Our Colonies are thousands of miles away; Ireland is quite close to us. What our Colonies can do with perfect impunity may not be done by Ireland without danger to this country. I think it will be agreed that the Resolution of the Canadian House of Commons was impertinent. If any Foreign or Colonial Legislature passed Resolutions which are impertinent, we can afford to regard them with perfect indifference. In all these cases it must, however, be borne in mind that it is one thing to have Parliaments thousands of miles away passing such Resolutions, but it would be quite another thing to have such Resolutions passed by a Parliament within a few miles from our shores. The Prime Minister saw that this was what he would term a plausible Resolution—that is, it was one which would be difficult to explain away in the country, and he may be sure that we shall do our best to point out what light this throws on the supremacy of Parliament as provided in the Bill. The Prime Minister's argument was that if we were to say to the Irish Parliament, "You shall not pass Resolutions and shall not discuss matters which are expressly taken from your cognisance," we shall be interfering with their sacred right of petition. That is a most

wonderful argument. A Board of Guardians may petition, but not the Irish House of Commons. The Irish Legislature will alone be deprived of the right of petitioning the British Parliament. The Irish Members may here break their silence. There is the hon. and learned Member for Louth bursting with eloquence. Let him get up in his place and tell us in the course of a few hours what value he attaches to the right to humbly petition this Parliament. The subjects in Ireland would, of course, continue to have their right of petition. But how long is it since the Prime Minister conceived this extraordinary opinion of Petitions? Does he know anything about the Petitions to this House? It is an ancient and venerable practice, and continues down to the present day; and I am assured that there are Petitions against this Home Rule Bill which contain over 1,000,000 signatures. Here is a case in which my right hon. Friend can give practical proof of his opinion of the value of the right of petition which he gives to the Irish Legislature. When Petitions come to this House with 1,007,793 signatures against Home Rule and with only 47 signatures in favour of it, if my right hon. Friend would thereupon drop his Bill, we should understand his appreciation of the value of Petitions. But if the Prime Minister ignores Petitions in the proportion of, roughly, 1,000,000 to 40, what value will the hon. and learned Member for North Louth attach to the right of petitioning the House of Commons? The Prime Minister asked what would be the use of prohibiting the Irish Legislature from passing Resolutions which you would be unable to enforce. Why not? Hon. Members have been satisfied when in speeches equally dry he has assured them that the supremacy of the Imperial Parliament was assured. He said, "You have a Navy and Army. You are in the proportion of 30,000,000 to 5,000,000. You are so tremendously powerful, and you can enforce anything you like at any time you please." Exactly the same principle applies to the proceedings of the Irish Parliament, and you can at any time send an Army to Ireland. Suppose they pass an Act which they are prohibited from passing. What then? When the Prime Minister answers that,



I will answer his question as to how we are going to enforce the prohibitions which we now propose. I suppose he looks to the Exchequer Judges. I do not know how that is to be done, but I am quite sure, I hope, that when we come to the clause, the right hon. Gentleman will explain what it is he expects from those two unfortunate learned gentlemen. The argument cuts both ways. It absolutely destroys the argument of my right hon. Friend, who can no more enforce the supremacy, or restrictions, or safeguards which he puts forward in his Bill than he can enforce the prohibitions which we propose. If he says he has convinced himself that the safeguards in the Bill are insufficient to enable this House to exercise control over the Irish Parliament, that admission applies equally to all the other safeguards—it applies to those which he has accepted just as much as to those which he has not accepted. The securities are insufficient by the confession of the Prime Minister himself. He has said—"You cannot enforce your will upon the Irish Parliament." We agree with him, and it has been our contention all through that, in order to enforce your will upon an Irish Legislature, you must have something more than the Army and the Navy to rely upon; you want something in the nature of a Civil force, something in the nature of a permanent Executive. This Debate has gained for us a most complete and satisfactory admission from the Prime Minister, and I hope and venture to believe it will bear fruit when we come to propose our Amendments to secure a satisfactory Imperial Executive in Ireland.

\*THE SOLICITOR GENERAL (Sir JOHN RIGBY, Forfar): I must agree that this has been a most enlightening Debate, and it has brought out most distinctly the efficacy of the safeguards which are provided in the Bill, as compared with the triviality of those which it is proposed to substitute. For instance, Clause 3, Sub-section 10, provides that no laws shall be passed by the Irish Legislature in regard to trade marks, merchandise marks, copyright, or patent rights, and it makes that clear by saying that any law passed in contravention of the section shall be null and void. That is a genuine safe-

guard. [*A laugh.*] At all events, it is a totally different safeguard from those which are now proposed, and a far better one. No law that could be passed by the Irish Legislature would have the slightest validity so far as it was not derived from the Act of the Imperial Parliament; and waste paper, indeed, would be all laws passed through the two Houses of the Irish Legislature unless they could show their authority in an Act passed by the Imperial Parliament. Of themselves Resolutions have no validity; you cannot take anything from them, because they have nothing. The proposal of the Amendment is, first of all, to prevent discussion; but I do not think you can fairly divide discussion, Resolution, and the right of Petition. If you allow discussion, it is vain to refuse to allow Resolutions; the moral effect produced by the opinion of the Irish Legislature would be equally plain whether a Resolution followed discussion or not, and would it be possible to put an end to discussion if you attempted it? The right of Petition, of which the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) spoke in terms so contemptuous, has, throughout the whole of our Constitutional history, been most highly prized; and, unless you shut out the right of Petition, you cannot shut out the right of resolution or the right of discussion. The safeguards in the Bill, which hon. Gentlemen say cannot be relied upon, cannot but act; they act automatically. The authority of law which gives an Act of Parliament force without bringing about civil war, without requiring the aid of the military, and, except in extreme circumstances, without even requiring the intervention of the police, will be given to the Irish Acts only so far as they are within the powers marked out for them by the Bill. Pictures have been drawn of dangers that might arise if the Irish Legislature travelled beyond its functions. It has been said that Representatives might be sent by Ireland to Foreign Powers, and the case of Franklin has been quoted. But Franklin was accredited to one of our enemies, and there is nothing to prevent that being done again. Irish rebels, if such there are, might send their Ambassador to any Power with which we were at war. I do not disguise the difficulties of

*Mr. J. Chamberlain*

the position, but I wish to show that the Bill will neither increase nor diminish them. Franklin was a rebel, and was accredited to one of our enemies, and we should have had the right, if we had got him, to have hanged him. Franklin was kindly received by our enemies; but if he had been received in the same capacity by any of our Allies, that would have given us just cause to go to war with them, because it is against the Law of Nations to receive an Ambassador from the rebels of an Ally. The position is this. An Act passed by the Irish Legislature, if beyond its powers, is null and void, and yet it is suggested there is great danger from Resolutions which have no pretence of being laws, but are mere expressions of opinion. I do not deny that the utterances, however irregular, however unauthorised, of a representative body of men in Ireland must necessarily have weight; but do right hon. Gentlemen think it would be good policy or that it would be wise to endeavour to shut down that safety-valve for the expression of opinion by the Representatives of the people?

Question put.

The Committee divided :—Ayes 238 ; Noes 259.—(Division List, No. 102.)

MR. W. E. GLADSTONE: In accordance with the pledge given this afternoon, I now move, Sir, that you do report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. W. E. Gladstone*,)—put, and agreed to.

Committee report Progress; to sit again To-morrow.

#### SUPPLY—REPORT.

Resolution [29th May] reported.

#### CIVIL SERVICES AND REVENUE DEPARTMENTS, 1893-4.

#### FURTHER VOTE ON ACCOUNT.

"That a further sum, not exceeding £4,810,250, be granted to Her Majesty, on account, for or towards defraying the Charges for the following Civil Services and Revenue Departments for the year ending on the 31st day of March, 1894."—(see pp. 1427-9.)

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

\*SIR R. TEMPLE (Surrey, Kingston) said, he wished to call the attention of the Vice President of the Council to a Circular which had been issued by his Department in January, last as to the accommodation and system of education in elementary schools, which Circular had been sent to all the schools throughout the country, whether Board schools or voluntary schools. It had been alluded to in the House of Lords by one of the very best living authorities on elementary education, Lord Sandford and from the purport of the noble Lord's remarks it seemed clear that he considered the implied requirements of the Circular were such as to make it practically impossible for the voluntary schools to comply with it; and if anything like exact conformity with the Circular was to be insisted on the voluntary system would be seriously endangered. Lord Kimberley, in replying, said—

"It seemed to be thought, in some quarters, that there was a desire suddenly to come down on voluntary schools throughout the country and make a peremptory demand upon them to bring their accommodation, sanitary provision, and school apparatus up to the higher standard; and so, by a side wind, to convert a large number of voluntary schools into Board schools. That, in his opinion, would be a perfectly unjustifiable proceeding."

It would be well if the Vice President would kindly confirm before them the assurances given by the President of the Council in the other House. Lord Kimberley said the Circular was merely one of inquiry; but he ventured to say that it meant something more than that. Why, the Inspectors were told to see to the rectification of any defects which the inquiries under this Circular might bring to light. But the Inspectors had been doing this all along. Why, then, was a fresh inquiry started this year? It looked as if some new departure were contemplated. The voluntary schools were entitled to know what to expect. There had been spent on them in the last generation no less a sum than £13,000,000, and they had conformed to all the requirements of the Education Department from time to time. Now, all sorts of requirements were put upon them—as to warming, lighting, the providing of certain areas for playgrounds, even in places where no ground could be got. Surely the voluntary schools were entitled to know under what new rules

they were to act. Why had the Department waited until this year of grace, 1893, for all these new requirements? It really did look as if there was an intention to impose fresh liabilities on voluntary schools. Lord Kimberley stated—

“The Royal Commission which reported in June, 1888, stated that the time had come when the State might well be more exact in requiring for school children a proper amount of air and space, suitable premises, and a reasonable extent of playground. That Report was the foundation of the whole matter.”

Lord Norton stated that the Code of 1890 demanded generally that all schools receiving grants should satisfy the Department as to their healthiness; but it restricted the application of any new requirements as to space to new buildings. He trusted that now no immediate pressure would be put upon the older schools beyond a general warning to all voluntary managers to set their houses in order so far as their means would allow. He hoped some consolatory assurance would now be afforded to that effect. There was no more praiseworthy, deserving, and meritorious class than those for whom he was pleading. They were the pioneers of Elementary Education; before the creation of School Boards they were prophets crying in the wilderness. They had been the means of saving the State £40,000,000, which had been raised by private subscriptions and resources. It was the buildings erected by this money it was now desired to improve by this Circular. Notwithstanding the great number of Board schools, there were 5,000 more voluntary schools than there were in 1870. He hoped that, in the circumstances, the voluntary managers would receive the kindly, gracious, and sympathetic consideration of Her Majesty's Government.

THE VICE PRESIDENT OF THE COUNCIL (Mr. ACLAND, York, W.R., Rotherham) said, if his hon. Friend had given notice of his intention to deal with the Circular, he would have been in a better position to answer him than he now was. The hon. Gentleman asked why the Circular, which dealt with the sanitary and healthy condition of schools, was issued in this particular year? He (Mr. Acland) only said that a large number of

Inspectors, reporting upon all parts of the country, had been desiring some inquiry of this kind for a long period. They had reported again and again that the condition of many schools was such that the children suffered in health; and he drew no distinction between Board schools and voluntary schools, considering it the duty of the Department to deal equally with both classes of schools. Again and again School Inspectors had called attention to this matter, and had asked for some kind of Statistical Returns to show how the schools stood. The Commission of Lord Cross said the time had come when, in the very words of the Circular, it would be reasonable to limit the time for requiring compliance with certain conditions as to the healthiness of the buildings. The Circular asked questions of the Inspectors in order that the state of things might be ascertained. He submitted that the Circular did not ask for anything which was unreasonable. It asked, for instance, whether the site was open and airy and provided reasonable space, and whether the playground was of sufficient size and provided with gymnastic apparatus. He quite agreed there were various crowded parts where it was impossible to insist on the playgrounds being of a certain size for an old school as in the case of a new. But he considered it was a good thing they should have the information as to whether and where such schools existed. The Circular further asked whether the building was dry and in good repair, whether it was properly lighted, whether the class-rooms were of reasonable size, and the staircases properly arranged, and as to the cloak-rooms and offices. There ought to be good cloak-rooms in all our schools, whether in town or country. To have damp clothes steaming in the same room where the children were taught was most undesirable for health, as every medical man would testify. As to the offices, they ought to be disconnected from one another. The hon. Baronet said that great efforts had been made by voluntary managers as well as by Boards to bring their schools up to modern requirements. In bringing schools up to modern requirements—and he was glad to say that many clergy, landlords, and others had made admirable efforts in this direction—this Circular would not injure them in

*Sir R. Temple*

any way whatever. If the hon. Baronet inquired what action had been taken since the Department had received the answers to the Circular he would find there was no cause for great alarm; but he did not hesitate to say that in all matters relating to the warmth, light, sanitation, ventilation, equipment, and generally healthy accommodation, he, with the Department, thoroughly intended to do all he could to bring up our schools of all kinds, whether voluntary or Board schools, to a state of complete efficiency.

MR. E. STANHOPE (Lincolnshire, Horncastle) did not think the statement of the right hon. Gentleman was by any means satisfactory, and he was afraid, when the proper time came, in Committee, there would be some further observations to make upon the matter. In the meantime, he desired to point out one important subject as to which the right hon. Gentleman had said nothing. Many schools within the last few years had made great structural alterations in order to comply with the requirements of the Education Department. The managers had done this at great cost, and in the face of great difficulty, at the request of the Education Department, although they themselves did not entirely approve of the alterations. Notwithstanding the fact that these structural alterations had been made in the case of many of these schools, the right hon. Gentleman or his Inspectors were actually calling upon the managers to reverse what they had done three or four years ago, and make further changes and incur additional expense.

MR. ACLAND: That has nothing to do with this Circular.

MR. E. STANHOPE: I am quite well aware of that; but I want to call the right hon. Gentleman's attention to the matter, and when we go into Committee I should like to ask him a special question about it.

\*DR. MACGREGOR (Inverness-shire) desired to ask the Secretary for Scotland if he could definitely state whether the Government would give its support to the Bill for amending the Crofters' Act?

VOL. XII. [FOURTH SERIES.]

\*MR. SPEAKER intimated that it was out of Order to refer to the Bill on the Report of the Vote on Account.

\*DR. MACGREGOR desired to ask a question or two relating to the Royal Commission in the Islands and Highlands. The excuse was made that this Commission could not begin its operations until the weather had improved. In the middle of April, the weather having improved, they had commenced, and now, after a month's work, they had suspended operations for three weeks, when the days were at the longest and the weather was at its best. Why had they suspended operations at this juncture, when there was so much urgency with regard to the question of land in the Highlands? He would like to ask what remuneration was being made to the Royal Commission? He was aware that the expenses of its members were allowed; but he would like to know what that meant! The Mail Service in the Highlands and Islands was in a very unsatisfactory state, especially in the Islands, where there was great irregularity. The people complained that they could not get their letters, in some instances, more than once a week. He would ask the Secretary for Scotland whether he could not, by conference with the Postmaster General and the Treasury, make such arrangements as would effect a much-needed improvement in the Mail Service? With regard to Secondary Education in the Highlands, he would like to know whether the right hon. Gentleman would not act upon a hint which he had given him, and provide small annual bursaries for boys who would have to come a long way to the central school?

VISCOUNT CRANBORNE (Rochester) desired, for a few moments, to allude to a matter on which he had ventured to trouble the House on several occasions, by way of questions to the Home Secretary. He had the honour to represent a constituency in which there was a large convict prison, the warders of which had a great many grievances with respect to hours and other matters, to which the attention of the Home Office had frequently been called. He had assisted the warders to the best of

his ability, and the Home Secretary had been courteous enough to give directions that he should be furnished with an elaborate Memorandum dealing with those grievances. The tone of that Memorandum, however, was very disappointing. It was the tone of an advocate defending his cause, rather than of an impartial Department deciding upon a case which had been laid before it. This Memorandum differed very seriously from the allegations made to him by his constituents; but upon many matters in the Memorandum he did not think the facts were disputed. He would venture to call the attention of the House and the Home Secretary to one or two of the facts in regard to the hours of these prison warders. They often heard in that House of the necessity for shortening the hours of labour, and he thought the House would admit that the hours of labour among the *employés* of the Government itself were very long. These warders were sometimes on day and sometimes on night duty. The hours of labour of those on day duty were as much as 65 per week, exclusive of meal-times. That was a very large figure. The Department, in reply to his statement on this subject, declared that he had taken the months in which the hours of labour were longest, and had not taken into account the days of leave. But the months on which the duty was longest happened to be about 10 in the year, and the days of leave were only 14 at the outside, and in speaking of the length of hours in that House they did not take into account the days of leave granted to *employés*. If they were to take account of the leave, they ought also to take account of the patrols necessary during meal-times. As to night duty, it would be admitted, considering the character and strain of the work, that the hours should not be long, yet the warders had to do 60 hours' night duty a week; and when the change was made from night to day duty, or the opposite, the warder had to be on service for 17 hours out of the 24. Then there was the question of a half-holiday. The warders on day duty had an occasional half-holiday on a Saturday. But those on night duty had no half-holiday, and nothing corresponding to it; and that was the principal grievance

*Viscount Cranborne*

of which they complained. Night duty was far more laborious than day duty, and he urged the Home Secretary to make some mitigation in this respect. It might be asked, if these men had grievances, why did they not lay them before the Visiting Director? They had done so themselves, and also through their Governor, but apparently without success. He appealed to the Home Secretary to re-consider the whole matter, especially the point of the half-holiday. Perhaps the right hon. Gentleman might be willing to grant a Departmental Committee of a small character to inquire into the grievances of the warders. If the right hon. Gentleman could not see his way to do that he would ask him to receive a deputation of the warders, who might themselves lay their case before him. He hoped the right hon. Gentleman would see his way to mitigate the grievances of a very deserving body of men to whom the country owed a great deal, and who were worked harder than would be allowed in most private employments.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.) said, he regretted that, not having had notice of the intention of the noble Lord to bring forward the subject, he had not with him the materials which would enable him to go in detail into the various points to which to which the noble Lord had referred. But he would remind him and the House that the whole question of the treatment of warders of convict prisons—their status, pay, hours of labour, and holidays—was most carefully and laboriously investigated in 1891 by a Departmental Committee presided over by Lord de Ramsay, and in consequence of the Report of that Committee very large changes and improvements were made in the positions and conditions of labour of the warders less than two years ago. He had satisfied himself, after careful inquiry, that the position of the warders in Rochester Prison did not differ in any respect from the position of the warders in other convict prisons. The rules and the system which prevailed there were those recommended by the Committee with full knowledge of the circumstances and after

full inquiry. He had no responsibility in the matter, except that he had inherited the system. He could not accede to the noble Lord's suggestion to start a fresh Departmental Inquiry within so short a time of the last one; but if any well-founded case was brought before him and were proved to his satisfaction to be a real grievance he should gladly attend to it and do everything in his power to meet it. He would suggest to the noble Lord that between now and the Committee of Supply—which he admitted was a contingent and indefinite time—the noble Lord should bring before him officially any complaints he had to make, and he would promise to give them his personal attention and most careful consideration.

MR. H. R. FARQUHARSON (Dorset, W.) commented on the way in which the Votes had been closed in the attempt to rush through the Vote on Account on the previous night. He desired to know from the Minister of Agriculture what his intention was with regard to the great distress in agriculture? Nothing surprised him more than the apathy and indifference in the House generally as regarded the condition of agriculture. The agricultural industry in England was positively on its last legs. Day after day and night after night they had interminable discussion about Ireland, whilst the most important industry of the country—that of agriculture—was positively going to the dogs. He considered that before they finally disposed of the Vote for the Board of Agriculture they ought to hear from the Minister of Agriculture what his views were as to some remedy for the present state of agriculture. There was the matter of swine fever, for dealing with which the President of the Board of Agriculture promised to bring forward a measure; but no such measure had as yet been laid before the House. He should like some information as to this. He desired also to put one or two questions to the President of the Local Government Board. He had very great fault to find with the way the Annual Report of the Local Government Board was brought out, and with the tables and figures given. With reference to the

lunatic and insane children, who were described as indoor paupers in the workhouses, he asked how many such cases there were, and whether the lunatic children were kept apart from the sane children? Nothing could be more harmful than to allow the two classes to be mixed up. He expressed the opinion that the agricultural localities had to support more workhouses in proportion to population than other localities, and proceeded to ask for information respecting what were described as able-bodied inmates in workhouses. As regarded children, he did not understand what an able-bodied child meant, but he supposed children under 16 were not able-bodied. One more point to which he would draw attention was that of the maintenance of paupers, and the expense of that maintenance as applied, distinctively, to indoor and outdoor patients. It was impossible to arrive at a conclusion as to the distinction on the face of this Report. There was a number of other items, dealing with matters of expense, which might have the careful consideration of the right hon. Gentleman and his subordinates at the Local Government Office. He would only express a hope that the right hon. Gentleman would in future instruct his subordinates to draw up the Report of the Department so that the items, as affecting indoor and outdoor pauperism, would be made clearer to the public, for whose information the Report was intended.

\*MR. WEIR (Ross and Cromarty) said, it was, no doubt, very inconvenient to raise important questions at that late hour of the night (after midnight), but he would undertake not to make a speech, and not to detain the House long, in calling attention to one or two matters affecting that part of the country in which he was specially interested. He had, first of all, to call attention to the neglect of the Scotch fisheries. Much might be done to develop this important industry. Then, with regard to the Board of Supervision, its re-construction was absolutely necessary. At present this Board did its work very badly, and he did trust that the Secretary for Scotland (Sir G. Trevelyan) would inquire into its method

of conducting public business, and apply adequate remedies? The hon. Gentleman then referred to the negligence of the Board of Supervision in the matter of the proposed fever hospital at Auchtermuchty, which town he visited during the Recess, and when there, was asked by the Provost and Burgh Authorities to help them in their efforts to get the Board of Supervision to act. With such inattention to the state of matters in the Lowlands, and this, too, in the constituency of his right hon. Friend the Home Secretary, what would the Board of Supervision not do in the Highlands? He wished the right hon. Gentleman, in his management of the affairs of Scotland, not to confine his purview to the mainland, and to the principal place in each of the Islands, but to extend his inquiry—or, better still, his visit—to the various districts of the Islands and the mainland, and so be better able to learn something of the requirements of the people, and of the indifference of the Board of Supervision to the wants of the population in the remote districts. The Board of Supervision had too many lawyers among its members; and it was for the Secretary for Scotland to prevail upon his Colleagues to bring about such reforms as were demanded. The number of lawyers should be reduced, and these sanitary theorists replaced by practical men. The policy evidently was at present to find work for a number—

\*MR. SPEAKER: The hon. Member is wandering from the question before the House.

\*MR. WEIR said, he would bow to the ruling of the Chair, but he hoped the right hon. Gentleman the Secretary for Scotland would do something in the direction he had indicated. He trusted that the Fiscals would be better looked after than they were by the Lord Advocate (Mr. J. B. Balfour). Another matter upon which he had a word to say was the manner in which the business of the Board of Trade Offices was conducted. There were officials who used the offices for their own private purposes. In his opinion, all Government Departments should be above suspicion. If private firms allowed their *employés* to do such things as had been permitted by

*Mr. Weir*

the Board of Trade, the result would be the Bankruptcy Court for the firms and commercial immorality amongst the *employés*. These officials were paid sufficiently high salaries for attending to the business of the Department, and he thought they should give their services to the Department wholly and exclusively. He hoped the President of the Board of Trade (Mr. Mundella) was in a position to assure the House that the business of his Department would be conducted on the lines of probity, honour, and honesty henceforward.

COLONEL R. GUNTER (York, W.R., Barkstone Ash) said, he was anxious that some guidance should be given to Boards of Guardians who might find it necessary or desirable to take buildings for use as cottage hospitals. The Guardians frequently had actions brought against them which were expensive to the rate-payers, and they would like their duties and liabilities to be more clearly defined. The question was, Were they entitled to take buildings, and, if they were, what arrangements had been made to safeguard them against litigation?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) said, the hon. Member for Inverness-shire spoke of the Royal Commission having made a break in its sittings. But they must remember what this Commission was, and what its labours were. It was a Commission composed of gentlemen with important avocations of their own, who could not be taken from those avocations continuously, and their labours involved great physical inconvenience and physical hardship in the very roughest and wildest parts of the United Kingdom. They never asked from the unpaid members of the Royal Commission the same sort of work that they had a right to ask from public servants with a continuous salary. The Commission had arranged its work most admirably. They had gone, first, to the important district of the Isle of Skye, where they stayed a month or more thoroughly examining the country. They would re-commence their labours at Beaulieu, in the very centre of what might

be called the sensational deer forest district of the Highlands. The Chairman of the Commission, Sheriff Brand, would find during the three weeks' recess public duties which it was necessary for him to perform. This was not a paid Commission. The members received £1 ls. per day for maintenance for each day they were on service, and their travelling expenses—that was to say, nothing but a bare maintenance, so that they should not be absolutely out of pocket except for the time they were taken from those avocations by which they earned their livelihood. There was only one exception, Mr. Gordon, a surveyor, who was paid £5 5s. for each day that he was commissioned by his brother Commissioners to perform professional work. As to the bursaries, there were no bursaries given out of the funds voted by Parliament. This was a question for the localities, and if the District Committees proposed to spend the money that was given for secondary education upon providing bursaries for Highland children, he was quite sure that the Department over which he had the honour to preside would help them in every way to carry out that intention. The hon. Member sitting below the Gangway (Mr. Weir) asked when the Board of Supervision, which he said did its work very badly, would be re-constructed. He (Sir G. Trevelyan) did not admit that it did its work badly, and more especially would he not admit that the individual members of the Board failed to apply to their work very great industry, great diligence, and great public spirit; but, as he had said, both in the House and elsewhere, he thought it was a Board faultily constructed. He was prepared to re-construct it in a manner which, when the time came, he should be glad to explain to the House; but he could only do it by legislation, and when he brought in the Local Government Bill for Scotland the construction of the Board of Supervision would be an interesting part of the measure. In regard to the other points brought forward by the hon. Member, he must say he thought the hon. Member was too ready to appeal to the Central Authority on matters that ought to be left to the Local Bodies who represented the public opinion of the localities; but in all matters where the

Board of Supervision ought to interfere, he could promise the hon. Gentleman that that interference should take effect.

\*DR. MACGREGOR asked if the right hon. Gentleman could inform them when the Royal Commission would finish its work?

MAJOR RASCH (Essex, S.E.) said, he had to congratulate the Government upon the fact that they had doubled the grant to the Association which found employment for Reserve and discharged soldiers. They had a very interesting Debate on the subject of such employment last night, and he could only say that the matter was one of extreme importance. Other countries provided employment for their soldiers when discharged after long and honourable service, and it was found an excellent system, helping largely to popularise the Army and to strengthen it. France, Russia, and America provided State-aided employment. The English Government, among the Governments of the civilised nations, did not do so. They had voluntary enlistment, and voluntary enlistment would be more popular if the Government followed the examples of other Governments. It was, of course, gratifying that this grant had been made, but he would prefer that the Government should seriously consider the whole question of employing men discharged from the Army or finding employment for them.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.) said, he could assure the hon. and gallant Gentleman who had just sat down that the Government were sensible of the importance of the subject, and that they were doing their best in reference to it.

SIR T. LEA (Londonderry, S.) said, he rose to appeal to the Government, through the Chancellor of the Exchequer (Sir W. Harcourt), to postpone the Vote on Account, in order that an opportunity might be given for discussing the lawless condition of the Counties of Clare, Kerry, and Limerick. It was obvious that at 25 minutes to 1 o'clock in the morning it was impossible to raise that question.



Many hon. Members were anxious that the discussion should take place, and he believed the Chief Secretary was desirous of giving his answer. [Mr. J. MORLEY dissented.] If that were so, he presumed it was because the case was as bad as some hon. Members believed it to be. He asked that the Vote should be taken as the first Order on Thursday, and he did so in the interests of order in Ireland.

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby) said, he would explain that it was necessary that the Vote should be taken before the House rose, as payments had to be made on June 1. He regretted that the matter which the hon. Member desired to raise had not been brought forward; it would probably have better occupied the attention of the Committee than some of the topics which were discussed. He thought it a pity that some arrangement was not made for seeing that matters of real importance and not trifling subjects should be discussed on the Vote on Account. That was a matter affecting both sides of the House. In his early Parliamentary days no one ever pretended to raise the trivial questions that now occupied so much of their time. Nothing, indeed, was ever raised to matters of urgent importance. He hoped the House would not delay the Vote any longer.

MR. W. REDMOND (Clare E.) said, he only wanted to say a few words in reference to what had fallen from the Member for South Londonderry. For his part, he was anxious that a Debate should take place, because he believed it would result in showing that the condition of the three counties named had steadily improved. He would point out that the condition of his county (Clare) had been discussed three or four times within as many months. He did not object to that discussion, provided something new was brought forward. They had it debated on the Address, on a special Motion for Adjournment, and again during the ordinary Business of the House. Personally, he would be glad to enter into the matter again, as, with regard to the condition of County

*Sir T. Lea*

Clare, the hon. Member for West Belfast (Mr. Arnold-Forster) had declared him to be able to place his hands on the persons who had committed some recent shooting outrages. That was a statement which ought not to have been made by one hon. Member of the House of another. The hon. Member had widely circulated in the columns of *The Times* the statement that, if the hon. Member for Clare did not know who were the men who committed the outrages, which everyone deplored, he could find out for the trouble of asking; and the hon. Member declared the parish priest to be in the same position. He did not think that any hon. Gentleman would require him to place on record his denial of such a charge. He had been in the House, attending to his duties, since the beginning of the Session. The County Clare was well supplied with police, and it was a monstrous thing to maintain that it was his duty to leave the House and go to his constituency to perform police work. If the men were so well-known, how was it that the police did not know them? And how was it that, if he could find them for the trouble of asking, the hon. Member for West Belfast and his informants had not taken that trouble? It was a monstrous practice for one hon. Member to write to the newspapers because a murder had taken place in another hon. Member's constituency, and urge that it was that hon. Member's duty to track down the murderer. Everyone in the House would believe that he had not, and could not have, any knowledge, direct or indirect, of the men who fired the shots. He had repeatedly set his face against outrage of every kind, the only difference between him and the hon. Member for West Belfast being that he had impartially denounced every crime, whether on the part of the moonlighter or the landlord; whereas the hon. Member had nothing to say of the primary cause of most of the crime in Ireland—the evictions by landlords. If they were to have this Debate, his (Mr. Redmond's) conduct would be shown to be what it ought to be; but, having been allowed to make this statement, he did not care much whether the Debate on the condition of Clare was continued or not. If, however, the Debate should take place, it would

the hon. Member established that the condition of the county had improved, and that it was not for the general good of Ireland, and of Clare, that this matter should be talked about in that House over and over again.

\*MR. ARNOLD-FORSTER (Belfast, W.) said, that he could well understand that the hon. Member did not desire further debate on the condition of County Clare. But this matter was much too serious for personalities. He wished, first, to deal with the public aspect of the question. The reason that this matter of grave public importance was not pressed the previous day was that there was a ruling of the Chairman declaring it to be impossible to take any question out of the order in which it was placed on the Paper. He and his hon. Friends were then and now anxious to raise the question, because it affected the lives and liberties of subjects and was on that account most urgent. The hon. Member said that nothing had changed in Clare. A great deal had changed, and many miserable outrages had been committed since the last Debate on the subject took place. With reference to the personal matter, the hon. Member had misrepresented him in one respect. Instead of attributing to the hon. Member a knowledge of the perpetrators of these acts he deliberately disavowed such a thing in his letter; and he was willing to believe that the hon. Member had no knowledge of the perpetrators of the crime.

MR. W. REDMOND said, that he would quote exactly the words used by the hon. Member in his letter to *The Times*—

"The men who persecute Mr. Blood are well-known. I assume for the present purposes that the Member for the division and the parish priest do not know them. If that be the case, they are the only human beings within a score of miles who do not know them, and for the trouble of asking they could find out who they are to-morrow."

If that statement meant anything at all it meant that he was in a position to find out who the culprits were, and that he refrained from doing so. That statement he called monstrous.

\*MR. ARNOLD-FORSTER said, that he was obliged to the hon. Member for so correctly stating his views, and he was willing to believe that the hon. Member did not know the names of the men [*cries of* "Oh!"], but he asserted that the hon. Member could ascertain the names in five minutes. Let him ask the Chief Secretary for them. [*Cries of* "Ask him yourself!"] The right hon. Gentleman, in answer to a question, said that the names of the men were notorious and known to the police. If the Chief Secretary would not give the names to the hon. Member he would himself. [*Cries of* "The names!" and "Order!"] If the hon. Member visited his constituency he would find scores of people who could give him the names at once. When a case of this gravity occurred in an hon. Member's constituency it was his duty to make an inquiry which would put him in a position to abate what was a great public scandal. He challenged the hon. Member to ask the right hon. Gentleman, who was responsible for the peace and government of Ireland, on what information he based his answer to the question put to him the other night that these men were known to the police and himself.

MR. J. MORLEY : I do not know the names.

\*MR. ARNOLD-FORSTER said, the right hon. Gentleman, in his answer, said that these men were known; and he challenged the right hon. Gentleman to say that he could not, within two minutes after arriving at Dublin Castle, that he could not at the Irish Office—that he could not now, after two minutes' conversation with him (Mr. Arnold-Forster)—discover who the men were. Mr. Bindon Blood was living under the most damnable persecution. [*Cries of* "Order!"] The Chief Secretary told the House the other night that the men were known to the police. If the right hon. Gentleman had no ground for making that statement he ought not to have made it. He was certain that if the hon. Member opposite were to ask the Chief Secretary to find out who the men were he would get the names without difficulty. But if the hon. Member were to say that the Chief Secretary

could not inform him, he would be very glad himself to try to put the hon. Member on the track. Hon. Members seemed to be unaware of a notorious fact—namely, that scores and scores of these men, who were perpetrators and abettors of crime, were perfectly well known to the police; but that it was difficult to get evidence on which to convict them, because witnesses and jurors had been openly threatened by hon. Members opposite. [*Cries of "Oh!"*] He repeated his challenge, and he asked every hon. Member in that House whether he did not feel in his heart—[*Cries of "Oh!"*]*—that it was the duty of a Member of Parliament, as a public servant, to do all that he could, when the facts of a case like this were brought before him, to relieve a fellow-countryman from such persecution as Mr. Blood was now suffering under?*

MR. SEXTON (Kerry, N.) said, the hon. Member for West Belfast had delivered a most perplexing speech. It contained a great deal of challenging, a vast deal of declamation, but not a grain or atom of sense. What did the hon. Member say in his letter to *The Times*? He said that if his hon. Friend above the Gangway (Mr. W. Redmond) or the parish priest were ignorant of the names of the persons who attempted to commit a certain murder, they were the only persons who were so ignorant. What was the necessary inference? That the population of the district knew the names of the guilty parties, and that the hon. Member who represented the district also knew the names. The hon. Member (Mr. Arnold-Forster) conveyed himself more than once that he knew the names, and at one point, before his speech was concluded, he seemed to give a promise that he would state the names. The Chief Secretary said he was unable to state the names, and everybody believed that in the next sentence the hon. Member for West Belfast would himself declare the names to the House. He (Mr. Sexton) now challenged him to state the names to the House. If he did not know the names, then his letter to *The Times* was a mere delusion. If he did know the names and would not state

*Mr. Arnold-Forster*

them, then he (Mr. Sexton) denounced him as an abettor of crime. Let the men be convicted, and let the men be punished. If hon. Members used language in public letters and public speeches implying that others and themselves were acquainted with these names, and if they would not give the names, then the House ought to be spared the annoyance of such mere drivel. He must say that the view the hon. Member took as to the duties of hon. Members of that House was one of the strangest of which he had ever heard. They were sent there to discuss public questions, to make laws for the public good; but the hon. Member appeared to put upon hon. Members of the House the duties which were placed upon the police. If a crime occurred in any constituency it was the view of this hon. Member that the hon. Gentleman representing that constituency should leave the discharge of his duties in that House, proceed to his constituency, and supplement the apathy or ineffectiveness of the local police. Surely that was a reading of their duties which hon. Members of that House would not accept. These crimes in Clare were secret, and they were perpetrated under circumstances which rendered it very unlikely that the perpetrators would be known to the public at large; but there were crimes committed recently in Ireland which were notoriously public. They were committed in the constituency of the hon. Member. They were committed in the open streets, to the knowledge, not of scores, but of thousands of the political sympathisers of the hon. Member. Let him betake himself to his own constituency. Let him find out and state to the House who were the miscreants who wrecked and looted houses in Belfast, and who were the wretched cowards who, in the name of politics, dragged poor girls by the hair of the head. Let the hon. Member who laid down such a rigorous view of the duties of others first discharge the duty of a Member of Parliament according to his own idea, and, when he had identified and exposed these criminals, then let him venture to lecture other hon. Members—but not until then.

MR. T. M. HEALY (Louth, N.) said, that no hon. Member opposite had been led to take this view of the duties of

Members of Parliament. Let them see what had recently been done by the hon. Member for East Belfast (Mr. Wolff). After the visit of the right hon. Gentleman the Leader of the Opposition (Mr. A. J. Balfour), the hon. Member for East Belfast was despatched by the Conservative Party to Belfast on an occasion when certain persons there were described as "damned fools." The hon. Member for East Belfast knew who it was who threw the bolts and nuts. They (the Nationalists) did not know who committed the outrages and murders in Clare.

SIR T. LEA asked whether the hon. Member was in Order in making this statement about the hon. Member for East Belfast during his absence?

MR. T. M. HEALY said, if the hon. Member was absent he hoped it was on a mission to prevent outrage in Belfast. He rose, however, not for the purpose of continuing the discussion, but for the purpose of asking the Chief Secretary a question. The right hon. Gentleman, in replying to a question, had given his view of the Statute 6 & 7 William IV., referring to the question of the displaying of flags from licensed premises. He would call the right hon. Gentleman's attention to the fact that there were cases in which Nationalist publicans had been prosecuted and had their licences taken from them because they had hung out banners on certain occasions. The right hon. Gentleman said his view of the section was that, when a person hung out the Union Jack, he was not breaking the law, so that it seemed that if the guilt depended on the colour of the flag, and not on the question whether a flag was hung out. The words of the section prohibited the exhibition of any flag except the known, usual, and accustomed sign of the house. He would be inclined to agree with the view of the law expressed by the Chief Secretary, only the words of the section were absolute as to all emblems except the known and usual sign of the house. He wished to ask whether the wording of this section did not make illegal all emblems except known and accustomed signs? As Nationalist publicans had been prosecuted for 50 years under the section he desired also to know whether a test case could not be taken to the

High Court of Justice, so that the exact scope of the provision might be defined? It was hard if a Unionist was, under colour of his loyalty, to be allowed to hang out a Party emblem, whilst a Nationalist was to be prevented from doing so. Why should a red flag with particular bars upon it be allowed to be used, when a green flag, having no bars at all, was not so allowed? Was the interpretation of the section to be reduced to a question of pigment? He respectfully contended that "any emblem except the known and accustomed sign of the house" did not mean an absolute prohibition of any emblem whatever. He thought that sufficient notice had been attracted to the subject to entitle those who were interested to obtain some valid decision upon it.

MR. J. MORLEY: I do not know whether it is possible to take the course my hon. and learned Friend suggests; but I will consider the question with the Law Officers. In the meantime I may say that the clause as he read it, taken by itself, undoubtedly seems to point to the illegality of the exhibition of bunting of any sort—Union Jack or anything else. But when, along with the Law Officers, I read the whole of the Statute, it appeared to me that its intention was to prohibit the meeting in licensed houses of secret or other obnoxious Associations. It seems to me that it would be impossible that the Statute could have meant the prohibition of such an emblem as the Union Jack, because one section empowers constables to take down a flag and to destroy it. I do not believe that Parliament ever meant to give constables power to haul down the Union Jack and destroy it. My impression, which is not contradicted by the Law Officers whom I have had the opportunity of consulting, is that the intention, as disclosed by the context, was to limit the prohibition to pieces of bunting which might be taken as symbols or ensign of one of those Associations whose meetings within a licensed house was prohibited. What my hon. and learned Friend has said as to the apparent inequality of the views taken by different Administrations is quite true. Certainly there is a great difference between the view we take of what occurred last week and the view that has been taken of events

that have occurred in the South and West of Ireland. In 1889 two publicans were brought up for having banners hanging out of their windows during Father M'Fadden's march. In the first of these cases the Magistrates made no order, and in the second they inflicted a small fine. When the Prince of Wales visited Dublin in 1885, during the Viceroyalty of Lord Spencer, publicans wished to hang out flags of various kinds; and the authorities of the day felt most sensibly that it would be absurd to punish publicans for welcoming the Heir to the Throne by putting out decorations and flags. They, therefore, took no notice. Though the constables who were concerned in the affair at Derry the other day did nothing but that for which perfectly good reason and excuse may be found, I think it was one of those cases in which the apparent breach of the ordinary reading of the section might well have been winked at. As it is, I think the time has come when we might have an opinion and perhaps a decision taken on the question, and to that point I will give my best consideration.

MR. JESSE COLLINGS (Birmingham, Bordesley) said, he did not think the speech made a little earlier by the Chancellor of the Exchequer should be allowed to pass without protest. The right hon. Gentleman said there was no time to discuss these matters, whether they were important or not, because the Vote must be passed at that Sitting in order that payments might be made on the 1st of June. The discussion and the redress of grievances were among the oldest and certainly the most valuable privileges of the House; but the Government were practically, by a side wind, destroying these privileges. They had put forward the Vote on Account on the last available day, so as to leave no time for discussion; and, as the Vote was for two months, it would carry them on to the ordinary end of the Session. They had, consequently, practically destroyed the privilege of discussing and obtaining redress of grievances before Supply was granted.

Question put, and agreed to.  
*Mr. J. Morley*

# LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 11) BILL.—(No. 360.)

Read a second time, and committed.

## WATER PROVISIONAL ORDERS (No. 1) BILL.—(No. 337.)

Read a second time, and committed.

## ELECTRIC LIGHTING PROVISIONAL ORDER (NO. 7) BILL.

On Motion of Mr. Burt, Bill to confirm a Provisional Order made by the Board of Trade, under the Electric Lighting Acts, 1882 and 1888, relating to Newmarket, ordered to be brought in by Mr. Burt and Mr. Mundella.

Bill presented, and read first time. [Bill 373.]

## LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (NO. 6) BILL.

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the union of Fermoy, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 374.]

## LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (NO. 7) BILL.

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the town of Youghal, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 375.]

## LOCAL GOVERNMENT PROVISIONAL ORDERS (NO. 17) BILL.

On Motion of Sir Walter Foster, Bill to confirm certain Provisional Orders of the Local Government Board relating to the city of Coventry, and to the contributory place of Shevington, ordered to be brought in by Sir Walter Foster and Mr. Henry H. Fowler.

Bill presented, and read first time. [Bill 376.]

## WAYS AND MEANS.

### CONSOLIDATED FUND (NO. 2) BILL.

Resolution [29th May] reported,

"That towards making good the Supply granted to Her Majesty for the Service of the year ending on the 31st day of March, 1894, the sum of £9,543,234 be granted out of the Consolidated Fund of the United Kingdom."

Resolution agreed to:—Bill ordered to be brought in by Mr. Mellor, Mr. Chancellor of the Exchequer, and Sir John Hibbert.

Bill presented, and read first time.

House adjourned at a quarter after One o'clock.

## HOUSE OF COMMONS,

*Wednesday, 31st May 1893.*

## ORDERS OF THE DAY.

## GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 30th May.*]

[TENTH NIGHT.]

Bill considered in Committee.

(In the Committee.)

*Legislative Authority.*

Clause 3 (Exceptions from powers of Irish Legislature).

\***VISCOUNT WOLMER** (Edinburgh, W.) said, he desired to move, as an Amendment, to insert after "laws," the words—

"Or to entertain or grant Votes in Supply except on the recommendation of the Crown signified by a Minister of the Imperial Parliament."

**MR. SEXTON** (Kerry, N.): I wish to raise a point of Order. I desire to know whether this Amendment, which deals with Votes in Supply, ought not properly to be moved on Clause 18, which relates to Money Bills and Votes, and devolves certain powers on the Lord Lieutenant?

\***VISCOUNT WOLMER**: That point has also presented itself to my mind. I therefore propose only to move the insertion of the words "or to grant Votes in Supply." Will not that be in Order?

**THE CHAIRMAN**: I think the Amendment as it appeared on the Paper yesterday was not in Order. I have carefully considered this matter, and the bearing of Clause 18 on it has not escaped my attention. I hold that the Amendment, as now framed, is in Order.

\***VISCOUNT WOLMER** said, he would not trouble the Committee at length with the particular points arising upon this Amendment, which he had dealt with in his Amendment on the previous day; but he would ask them to keep in view, in discussing this Amendment, the fact

that the word "laws" governed the whole of this section, and he would also remind them that the Prime Minister had the day before most distinctly and clearly withdrawn from the position which the House and the public understood him to have taken up, both when he introduced this Bill and when he introduced the Bill of 1886. The Committee must bear in mind that when the Prime Minister spoke of withdrawing these excepted matters from the cognisance of the Irish Legislative Body, he meant legislative cognisance, and that when the right hon. Gentleman said that Body would be precluded from doing any act in connection with these matters he meant, not doing an act, but passing any Act. The Amendment would preclude the Irish Legislature from granting Votes in Supply in connection with any of these excepted subjects, and had a very important bearing in at least three cases. It touched the question of the Military and Naval Forces, for he submitted that as the Bill stood the Irish Legislative Body could grant Votes in Supply to any Volunteer Force that might be established in Ireland. Again, the Amendment dealt with the question of the payment of Envoys to Foreign States, even if they were not accredited, inasmuch as under the Bill in its present form the Irish Legislature could pass a Vote in Supply for such a purpose. Lastly, the Amendment raised the whole question of bounties. As the Bill now stood, he submitted that the Legislative Body could grant bounties on Irish produce exported to foreign ports. Whether his contention should ultimately prove to be right or wrong, he thought the Committee would admit that no more important question than that of foreign bounties could be raised in connection with this Bill, as it affected the trade of the United Kingdom. The Prime Minister would probably say in answer to him that the Government agreed that the Irish Legislative Body ought not to grant Votes in Supply in connection with the excepted subjects, and that, as a matter of fact, that was provided for in the Bill, because they could not grant any Votes in Supply that were not included within the Appropriation Act, and which would be void if it included Votes in any of the excepted

subjects. But, assuming that the Appropriation Act would cover the point he was now dealing with, he thought the Committee and the country required a great deal more light upon the way in which this safeguard was going to work. In the first place, would the whole of an Appropriation Act which included Votes for a Volunteer Force or for bounties be null and void? Would the whole of the appropriation of the Irish Supplies for the year fall to the ground because one Vote was included that was beyond the purview of the powers of the Irish Parliament? He imagined the answer would be in the negative, and that the Appropriation Act, as well as all other Irish Acts, was covered by Section 33, which enacted that—

“An Irish Act, notwithstanding it is in any respect repugnant to any enactment excepted as aforesaid, shall, though read subject to that enactment, be, except to the extent of that repugnancy, valid.”

If that was to be the answer he would put another question. Suppose an Appropriation Act were passed which included Votes in Supply for some of the excepted matters, Section 3, read in connection with Section 33, would allow the whole of the Act to be valid except the clauses dealing with the particular Votes which were repugnant, and therefore invalid. Who was going to pronounce that those clauses were invalid? How was the point going to be raised, and at what moment? This was not a question of levying taxes, for they would be levied under another Act, but of expending taxes; and when the Appropriation Act was passed, at what moment would the Paymaster General or the official, whoever he might be, who would be charged with the duty of paying to the officials of the Irish Government the money so voted—at what moment would that official be hauled over the coals for allowing money to pass from his hands for purposes beyond the purview of the Irish Legislative Body? How would the question be raised? Not by those who passed the Vote, or who were interested in it. Would the Lord Lieutenant have to send the Appropriation Act to the Privy Council to determine whether and to what extent it was invalid and repugnant? He would ask some Member of the Government to give the Committee a

*Viscount Wolmer*

little light on this most important matter, which had been studiously concealed from the country, and as to which absolutely no information had been vouchsafed to the House or to the electors. The Government would probably say that neither the Lord Lieutenant nor any body of aggrieved Irishmen, nor anyone else, would have to raise this question, because it was dealt with under Section 31. Section 31 provided that an officer should be appointed by the Lord Lieutenant, to be called the Irish Comptroller and Auditor General. The Government might say that if the Irish Paymaster paid away money he had no business to pay the Comptroller and Auditor General, who would revise the annual accounts, would disallow these payments; and that the Irish official who paid away the money would have to make it good out of his own pocket. The Government might add that, under those circumstances, no official would be willing to run so grave a risk to his position and pocket, and that he would be careful not to pay money which he was not perfectly satisfied had been legally voted. But that raised another point on which he desired information. In what capacity would the Lord Lieutenant be acting in appointing the Irish Comptroller and Auditor General? Would he be acting as the Queen's Minister, or as the Representative of the Irish Cabinet? Would the Irish Comptroller and Auditor General be an Imperial officer for Imperial purposes to safeguard Imperial expenses? In that case he admitted that such an officer would be a safeguard against and a check upon the voting of illicit Supplies. But what would the Irish Nationalists say if the Comptroller and Auditor General, instead of being their officer, was to be an Imperial officer? If, on the other hand, the Comptroller and Auditor General was to be a mere mouthpiece of the Irish Cabinet, it was quite clear that no reliance could be placed upon him as affording a check upon the voting of these illicit Supplies. What restraint would a Nationalist Comptroller and Auditor General be likely to exercise over Supplies proposed by a Nationalist Cabinet, voted by a Nationalist Parliament, and approved by a Nationalist

people? There was no necessity to imagine a case of great wickedness or evil. They need only imagine the very natural case of the Irish Parliament granting bounties to an Irish industry. Would not the whole Nationalist sentiment of Ireland be in favour of these bounties, and would it really be contended by the Government that the bulwark against the Nationalist sentiment in favour of bounties was the Nationalist Auditor General responsible to a Nationalist Parliament by whom the bounties would be voted? If he might be allowed to say so, with pardonable parental pride, this Amendment was a most interesting one, because it afforded Her Majesty's Government such an excellent opportunity for giving the Committee much information with regard to the clause under discussion. The Government might say that Clause 18, Sub-section 2, guarded against the evil he had pointed out. That sub-section laid down—

"It shall not be lawful for the Legislative Assembly to adopt or pass any Vote, Resolution, Address, or Bill for the appropriation for any purpose of the public revenue of Ireland, or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the Session in which such Vote, Resolution, Address, or Bill is proposed."

That sub-section raised a very important point indeed. He asked again, in reference to that sub-section, in what capacity would the Lord Lieutenant act?

MR. T. M. HEALY (Louth, N): I rise to Order. I wish to know whether the noble Lord is in Order in discussing Clause 18 while Clause 3 is under discussion?

\*THE CHAIRMAN: The noble Lord is in Order in referring to Clause 18 on the point he is raising.

\*VISCOUNT WOLMER said, that he was not surprised that hon. Members on the Benches below the Gangway opposite had not the same thirst for information on these questions that Unionist Members had. He wished to know whether, under Clause 18, the Lord Lieutenant was going to act in the Irish Parliament as Her Majesty now acted in this House? No Votes in Supply could be brought forward in this House unless they were proposed on the recommendation of Her Majesty, or, in other words, Her Majesty's Government. That was

not a Constitutional provision to safeguard the rights of the Monarchy, but was intended to take out of the hands of private Members the proposal of Votes in Supply. He, therefore, wanted to know, did Clause 18 mean that no Votes in Supply could be proposed to the Irish Legislature except by the Irish Cabinet? If so, that would be no check at all upon the voting of illegal Supply. On the other hand, did that clause mean that the Lord Lieutenant was to have a veto on the Votes in Supply to be proposed, that he could act in quite a different manner from the way in which Her Majesty acted in this House, and that with a stroke of his pen he could strike out such Votes as were proposed by the Irish Cabinet which he deemed were illegal? It was very important that the country should have clear and definite answers from the Prime Minister upon these questions. If the Lord Lieutenant were put into the position he had described he would be a real check against illicit Votes in the Irish Parliament, because he would be an Imperial officer, with the Imperial forces at his back, and with a most imperious command over the Irish Cabinet. He had argued the matter up to this point upon the assumption that an Irish Appropriation Act would be necessary; but he asked the right hon. Gentleman to point out within the four corners of the Bill a single line which absolutely secured, directly or indirectly, that an Irish Appropriation Act must be passed.

MR. J. MORLEY: In Clause 10, Section 4.

\*VISCOUNT WOLMER said, that that sub-section of the clause was to this effect—

"Save as in this Act mentioned all the Public Revenues of Ireland shall be paid into the Irish Exchequer and form a Consolidated Fund, and be appropriated to the Public Service of Ireland by an Irish Act."

He admitted that, at first sight, that clause appeared to meet his objection. But he should like to ask whether it would be in the power of the Irish Parliament if it chose to alter that provision by an Act which might or might not be vetoed by the Lord Lieutenant, or by a formal Resolution directing the Irish Paymaster General



to pay out moneys in obedience to Resolutions of the Assembly, either of which, for all the purposes of Irish Government and as far as the allegiance of Irish officers was concerned, would be absolutely binding upon the Irish Executive? In fact, why should the Irish Parliament be hide-bound, in matters of financial routine, by an Act of this kind passed by an Imperial Parliament? There was no provision that would prevent the Irish Parliament from passing Acts of Indemnity for acts done contrary to the provisions of the Bill. Acts done in obedience to the will of the Irish Parliament would be done in accordance with the sentiment of the majority of the Irish people, which might be opposed to that of the British people. He admitted that it would be very hard upon the Irish Parliament if they should be rigidly prohibited from voting Supplies in connection with all the excepted subjects, for it might lead to great inconvenience; and if the Committee were to adopt his Amendment he would move consequential Amendments in their proper places, to permit such Votes to be granted on the recommendation of Her Majesty, signified through some Member of the Imperial Cabinet. The Prime Minister had a favourite argument against these Amendments. But it was not sufficient for the right hon. Gentleman to throw it in the teeth of the Irish Unionists that they seemed to suppose that there was nothing human in the Irish except the form. The Prime Minister seemed to forget that in all these matters he was not dealing with his own property. This was not a personal bargain between the right hon. Gentleman and the Irish people. He was simply one of the trustees, though the chief trustee, dealing with the Irish people; and why should not the liability which attached to a private trustee apply also to him? Those who married their children without marriage settlements were considered very foolish; and nobody accused the bride or the bridegroom of having nothing human but the form because they insisted on having marriage settlements. They claimed the same right for themselves. They were trustees for the British people, present and future, and had no right to give away this property as if it were their

*Viscount Wolmer*

private property. Was the Prime Minister going to contend, as he did last night, that it was no good to insert provisions which could not be enforced by the Imperial Parliament? He thought that the Prime Minister must regret some of the words which he used yesterday, because he gave away at once the whole case he had been making against the previous contentions of the Unionists.

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): What were the words I used?

\*VISCOUNT WOLMER said, that he understood the Prime Minister to say—and the right hon. Gentleman would correct him if he misinterpreted him—that it was derogatory to the dignity of Parliament to insert provisions on the lines of his Amendment yesterday, which they would not have the power to enforce. He was glad to find that he had not misinterpreted the right hon. Gentleman. But that had been the contention of the Unionists all along in reference to the figment of the Imperial supremacy and other matters; and they had a right to ask the Prime Minister, was this, or was it not, a binding and honourable compact with the Irish people? If it was an honourable and binding compact, every Amendment of this kind would be honourably observed by the Irish Parliament; if it was not, then none of the right hon. Gentleman's own provisions were worth the paper upon which they were written. The right hon. Gentleman could not pick and choose between his exceptions and restrictions. If the right hon. Gentleman really believed that the Opposition were guilty of gross want of humanity, sympathy, and fellow-feeling in proposing restrictions, he would himself have placed no restrictions upon the Irish Parliament; he would simply have written down the general limits which he wished the Irish Members to observe, and trust implicitly to them. That course would be consistent; but it was not consistent for the right hon. Gentleman to make his own restrictions, and to accuse all others who tried to impose restrictions of insulting the Irish people, and to try to evade answering the Opposition by casting all their Amendments into what

might be termed the crucible of his indignation.

Amendment proposed,

In page 1, line 19, after the word "laws," to insert the words "or to entertain or grant Votes in Supply, except on the recommendation of the Crown, signified by a Minister of the Imperial Government."—(*Viscount Wolmer.*)

Question proposed, "That those words be there inserted."

**MR. W. E. GLADSTONE:** The question how far an Act of Parliament should be considered a compact is one of great importance in considering the general merits of the Bill; but the point raised by the Amendment is of much narrower scope. I am entirely clear in my own mind that it would be very unwise to introduce any portion of the Amendment into the present clause, which deals with legislative powers. Do not let us, if we wish to have a working measure, introduce into a clause dealing with legislative powers provisions relating to the issue of money which are exceedingly complex. The two things should not be mixed up. Nothing could be more inconvenient and less practical than to introduce into this clause anything relating to the issue of money. If that has to be done, it should be done in its proper place, and after separate consideration and discussion. The main object of the noble Lord is to prevent any appropriation of public money for purposes excluded by the Act. If ever there was a proposal that requires separate consideration and discussion it is this Amendment, which proposes to give the Crown a discretionary power of going beyond the subjects to be excluded from the purview of the Irish Legislature. The words in the Amendment are—

"Except on the recommendation of the Crown, signified by a Minister of the Imperial Government."

That proposition is so large, that to me it is rather staggering. There may be cases in which some power ought to be granted; but I am not prepared to give, and I will not give, a power to the Minister of the Crown to override the purposes of this Act. We should take

care that there shall be no issue of money from the Irish Exchequer, under authority of this Bill, except for purposes contemplated by the Bill. The Bill aims at empowering the Irish Legislature to make laws for the peace, order, and good government of Ireland. That implies, of course, making Money Laws and granting Votes in Supply. Those laws are defined in the Bill, and in this section their definition is extended by exclusion. The contention of the noble Lord is that there should be no issue of public money for the purpose so excluded. That is a reasonable contention; but, in my view, it has been provided for. If, however, the matter has not been made quite plain, the insertion of a few words at the proper place will make it absolutely clear. My right hon. Friend the Chief Secretary has already indicated that Section 10, Sub-section 4, will be the proper place. That sub-section provides that—

"Save as in this Act mentioned, all the Public Revenues of Ireland shall be paid into the Irish Exchequer and form a Consolidated Fund, and be appropriated to the Public Service of Ireland by Irish Act."

Of course, the appropriation must be by Irish Act, and the Revenues must be appropriated to the Public Service of Ireland—that is, the Public Service of Ireland as defined and limited by this Act; and the Bill, as it stands, prevents any issue of money except for purposes within the scope and purview of the measure. I hope, therefore, that what I have said is clear—first, that this is the wrong place to introduce any matters relating to the issue of money; secondly, that the power of exception given to a Minister of the Crown, if given at all—and on that I give no opinion—ought to be given most carefully, in most moderate terms, and not in the large manner proposed; and, thirdly, that if there is not a legal doubt, but even a general impression, that the words of the Financial Clauses are insufficient, there is not the slightest objection to make them still more clearly sufficient than they are by saying that no appropriation can take effect except according to the purposes and purview of the Act. It may be asserted by the noble Lord and others that I

have said nothing about Votes in Supply; but it appears to me that the proper point is not the voting in Supply, but the issue of the money. No Legislature would ever dream of passing Votes in Supply except with a view to the issue of money. Any Legislature which passes Votes in Supply in regard to matters where it has no power to issue money would be making itself ridiculous; and I have not heard, among the innumerable imputations cast upon the Irish Legislature, the suggestion that it would be in the habit of making itself ridiculous. If we make the question of the issue of money safe, no other matter need be taken into view. I will not enter into the complicated question of the provisions of the law for the issue of money. But the House ought to be aware of two things—first of all, that, under the final Appropriation Act passed at the close of every Session, the money voted by the House is strictly and absolutely limited to the purposes specified by the law; and, secondly, that there are intermediate Appropriations which pass this House under the name of a Ways and Means Bill, and which provide that issues of public money may take place for purposes voted by the House in Committee of Supply. In that case there is no specification; but there is still absolute security in the Royal Order, without which the money cannot be issued. That Royal Order, of course, means in Ireland an Order from the Viceroy, and that brings in the Executive Government.

**MR. A. J. BALFOUR:** The Executive Government of Ireland or of England?

**MR. W. E. GLADSTONE:** The Executive Government of Ireland, certainly. I do not dispute the perfect propriety of the action of the Chairman in allowing the Amendment; but I am of opinion that, as a matter of convenience and policy, the plan proposed is clearly inappropriate, when the 4th subsection of Clause 10 is intended to meet the purpose. I hope I have shown that there is really no question of principle at issue between us; in fact, I think I have shown that I am rather more scrupulous in admitting exceptions to the provisions contained in the clause than is the noble Lord himself. If that

*Mr. W. E. Gladstone*

be so, the question should stand over for consideration at the proper time, when I shall be ready to agree.

**MR. A. J. BALFOUR:** I am glad to hear that there is no difference whatever between the right hon. Gentleman and the Opposition upon the principle involved in the Amendment. What the right hon. Gentleman relied upon was not the veto of the Lord Lieutenant of the Appropriation Bill, or the provisions of Section 18, by which the Lord Lieutenant shall recommend a Vote before it is considered by the Irish Legislature, but the provision—which he is ready to strengthen—in Section 10, which prevents money being paid out of the Irish Consolidated Fund for any except Irish purposes, as defined by the Act. Therefore, if I am not wrong in the interpretation which I put on the right hon. Gentleman's speech, the one foundation and the one machinery which he has provided for preventing illegitimate and illegal payments out of Irish taxation for prohibited purposes is the action of the Paymaster General dealing with the Irish Consolidated Fund.

**MR. W. E. GLADSTONE:** Perhaps I ought to have explained more clearly that, as regards the final appropriation of money, I believe the machinery of the Bill to be so perfect that we cannot possibly amend it. But, as I have stated, we have in this country issues by intermediate Ways and Means Acts. Whether that system will be introduced into Ireland I cannot at the present moment say; but it is a convenient system, a good system, and almost a necessary system. It is solely with regard to these intermediate issues of money, in my opinion, that any possibility of difficulty can arise; and with regard to that, I say the matter is clearly brought within the responsibility of the Viceroy by the absolute necessity for having a Royal Order. I think, however, the intention of Parliament ought to be made perfectly clear, so that the issue of money for a prohibited purpose under any intermediate Ways and Means Act might be as clearly a breach of the law as it would be under the final Appropriation Act.

**MR. A. J. BALFOUR :** I quite understand the point which the right hon. Gentleman has explained with his usual clearness, but I should like to know in what capacity the Lord Lieutenant is to act. The Royal Order in this country is merely, so to speak, the expression of the will of the Executive Government. Therefore, if the Irish system is framed, as I imagine it will be, on the model of our own, the Order of the Lord Lieutenant in Ireland will also be merely an expression of the will of the Irish Executive Government. There will, therefore, be no check upon the Irish Executive Government; and there being no check on the Irish Executive Government, it will not carry out the wishes of the noble Lord, which were to check not the Irish Parliament alone, but the Irish Parliament acting through the appropriate organ—the Irish Executive. So I gather from the explanation of the right hon. Gentleman that, so far as these intermediate issues of money are concerned, our only safeguard is the necessity of having an Order from the Lord Lieutenant, who himself will be acting on the advice of the Irish Executive, who are the very people that we desire to keep in order. So I would ask the right hon. Gentleman whether, in addition to the words which he proposes to introduce into Clause 10, if he will consider some method by which the object he has in view may be carried out, and the system which he himself described as perfect—by which money can only be issued in accordance with the law under the final Appropriation Act—may be extended so as to cover the case of preliminary and intermediate issues. I understand from the assent which the right hon. Gentleman has given, that he is prepared to consider, not unfavourably, the suggestion which I have thrown out; but there is another question. Even in the case of the final Appropriation Act I want to know how, as a matter of practical politics, you can prevent effectively illegal issues in accordance with the will of the Irish Legislature by the Irish Paymaster General? The case put by the noble Lord is that of the Irish Legislature and the Irish Executive being desirous of fostering Irish industries by means of the payment of bounties. That certainly is in accordance with all

we know of the sentiments of a section of the Irish community, and it is not disgraceful to the Irish Legislature that it should try to do it. But then if that is a thing the Irish Legislature are likely to do, the question arises, Is it a thing they can do under this Act? The right hon. Gentleman said they could not, at all events with regard to the final appropriation of money, because that was fenced round by all kinds of safeguards. But might it not be done in defiance of safeguards? The Irish Paymaster General is likely to be at one with the Irish Legislature and the Irish Executive; at all events, he will be absolutely dependent upon them, as he will be their servant. Suppose all the necessary machinery were gone through—the passing of a Vote in Supply and an Appropriation Act—would not the Irish Paymaster General, whatever the legal safeguards, carry out what he knew to be the will of the Irish Legislature, acting in accordance with the wishes of the Irish people? It appears to us that this is a real practical danger, and therefore I would further ask the right hon. Gentleman whether he will not also do his best to enable a British Minister, or somebody not dependent upon the Irish Executive and the Irish Parliament, to control the issues of money from the Public Treasury, which we fear might be made in spite of all safeguards. If the right hon. Gentleman will answer that question, he will go even further than he has already to meet the objections that have been raised.

**MR. W. E. GLADSTONE :** It is obviously impossible for me to deal with the question the right hon. Gentleman has raised with regard to the Irish Paymaster General further than to say that if the Paymaster General was so devoid of principle and of prudence as to sign orders for the issue of public money in defiance of the law and so make himself liable for disobedience to the law, he would be brought up like any other criminal. All we can do is, first of all, to indicate the duty of such public officers; and, secondly, to make the machinery of the law as effective as possible to punish them if they disobey it. The noble Lord asked me to say whether the payment of bounties is to be made

illegal or not. I entirely decline to discuss the question of bounties. It has been said that there is a section of the Irish people who are given to view with favour the theory of Protection; but there is a section of the English people of whom the same may be said. Some time ago there was a meeting of the Conservative Associations of England, and on that occasion, with three or four exceptions, all those Associations determined that Protection ought to be restored. I hope the right hon. Gentleman opposite, who is so afraid of the protectionist tendencies of the people of Ireland, will use his influence to prevent effect being given to the nearly unanimous desire of the Conservative Associations of England. I think it is quite right that we should have words in this Act showing that under no circumstances can any issue of money take place in Ireland except for the Irish Public Service, and defining the limits of this Act. The right hon. Gentleman said the Viceroy would be the servant of the Irish Executive Government. That is, in my opinion, an exact inversion and an absolute contradiction of the whole meaning of the Act with respect to Imperial purposes. There will be no Executive in Ireland for Imperial purposes. The Viceroy will be the only Executive for Imperial purposes; and if you told me that the Viceroy might give his assent to an Act or might authorise the issue of a Royal Order for an illegal purpose, I can only say that, in my opinion, this House would soon put an end to the existence of such a Viceroy and to any Government that attempted to maintain him. The right hon. Gentleman has failed to comprehend the dual capacity of the Viceroy. For the purpose of guarding, within the entire range of his office, against the infraction of the prohibitions contained in this clause, the Viceroy is strictly and absolutely an Imperial officer. The Viceroy's relations to his Irish Executive are for Irish purposes, as defined by this Act, for Irish purposes, not excluded by this Act.

MR. A. J. BALFOUR: I entirely apprehend the fact that the Government desire the Viceroy to act in a dual capacity, but one of my complaints is

*Mr. W. E. Gladstone*

that in none of the clauses is it clear in which of his two capacities he is to act. Sometimes he is represented as the Constitutional Monarch of Ireland acting through the Irish Executive alone, for Irish purposes, and at others as the Representative of the Imperial Government, dependent on the majority in this House, and checking, when it seems good, the action of the Irish Legislature. It ought to be made clear in which of his two inconsistent personalities the Irish Viceroy is to act. It is one of the great blots of the drafting of the Bill that it is impossible to discover what the views of the Government are in this matter, and what the view of the Courts called upon to interpret the Act in the future may be. The hon. Gentleman has let it be seen that even in his view the checks in the issue of money before the final Appropriation Act may be insufficient. The only check that exists is the necessity for a Royal Order in England and the Lord Lieutenant's Order in Ireland.

MR. W. E. GLADSTONE: What I meant was that any Royal Order for the Irish Service would clearly fall within the category of the Irish Service; but with respect to a Royal Order for the issue of money for the purposes excluded by this Act, it would be the absolute and primary duty of the Viceroy to refuse the Order, and in that respect he will be acting as an Imperial officer. There is not a Colony in the Empire in which the Governor has not a dualism of this kind, in which the Governor has not to discharge duties from time to time as an Imperial officer, and there is not a single Act which attempts to define the distinction.

MR. A. J. BALFOUR: This might be a workable system when you are dealing with a Colony, but here you are going to deal with a country in which by hypothesis the Lord Lieutenant is constantly to act, and as to whom it has not been settled whether or not he is to be the Representative of the British Cabinet or a Representative of the Irish Executive. The right hon. Gentleman, therefore, has not given the Committee any substantial consolation. The Government have not met what was

the principal point of the noble Lord's contention. The right hon. Gentleman complained because the case of bounties had been cited as an illustration, and he had referred to the former action of Conservative Associations with reference to Protection. I make no complaint on that score; I only say that the House of Commons does not mean to concede the power of conferring bounties to the Irish Legislature, because it is a power which that Body might presumably desire to exercise? and the question to consider is whether the Government have effectually provided against its use? If the noble Lord's Amendment is not adopted, it will be in the power of the Irish Legislature to pass Votes of Supply; and the Irish Paymaster General, having behind him the express opinion of the Irish Legislature, cannot be effectively prevented from carrying out its intentions or from paying money out of the Irish Consolidated Fund, even if those payments should be illegal. The right hon. Gentleman said that the Paymaster General, if he did so, would be a criminal, and could be prosecuted. But who is to prosecute him? The Irish Attorney General? The Irish Attorney General was a Member of the Irish Government representing the two Houses of the Irish Legislature, and is it seriously suggested that he should prosecute the Irish Paymaster General for carrying out the wishes of the Irish Legislature?

\*THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, that the Attorney General was not the only person who could prosecute. Any one of Her Majesty's subjects could prosecute.

MR. A. J. BALFOUR: I will not enter into a legal controversy with the learned Gentleman, who, I am quite sure, in addition to his other qualifications to instruct us, is a more capable authority on the legal point than I can be. But at this moment the immemorial custom in Ireland is that the whole of the Criminal Law has to be set in motion at the instance of the Attorney General. That duty, you will admit, will not be performed in the case, I suppose by the Irish Attorney General, but by some private individual in Ireland, against the wishes of the Attorney General, at his

own cost and with the certainty of obtaining a kind of reputation in Ireland which will certainly not conduce to his personal comfort. If the learned Solicitor General knows something of law, I know something of Ireland; and I can assure him that if he relies for the maintenance of the law in Ireland upon prosecutions against the publicly expressed will of the people by a private individual at his own cost, the trial ultimately to come before Judges appointed by the Irish Executive, and jurors appointed under the amended Jurors Act, all I can tell him is that the law he thinks will be adequately maintained by such a procedure has no more chance of being put into operation than if it was in Lapland. The Committee will now see that the question before us is not one of drafting, or of a particular place where an Amendment should be put in, or of the particular legal safeguards you are going to place round your Appropriation Act, but it is a question of practical politics which the right hon. Gentleman has not endeavoured to meet; and for that reason, and as long as this practical point remained unanswered, I shall feel obliged to support my hon. Friend if he goes to a Division.

SIR H. JAMES (Bury, Lancashire): The Prime Minister has made an important statement, and I hope he will forgive me for asking him for a little more information. He has informed the Committee that the Lord Lieutenant, as head of the Executive in Ireland, will exist in a dual capacity—that he will represent the Imperial Government in some capacities; in other capacities he will represent, and be guided by, the Irish Executive; that, being a Constitutional officer, the Lord Lieutenant will on certain occasions be instructed by the Imperial Executive; on other occasions by the Irish Executive. Until to-day I thought that, when the Lord Lieutenant was receiving instructions from the British Ministry, it was so stated in the Bill, and on all other occasions he was receiving advice from the Executive in Ireland. For instance, in Clause 5, which I thought gave us the true position, an instance is given where the Lord Lieutenant is not to act on

the advice of the Executive Committee. He is, however, to be guided by the Executive Committee, who should aid and advise the Lord Lieutenant in general circumstances. In Sub-section 3 he could veto certain Bills, but he is there to be guided by the Irish Executive and to act subject to any instructions given by Her Majesty. In Clause 18 no Appropriation Act is to be passed, or Resolution, or Bill, for the appropriation of money except in pursuance of a recommendation from the Lord Lieutenant. When the Lord Lieutenant acts under that section is he to act in pursuance of advice from the British Minister or from the Irish Executive? If from the Irish Executive, then the Lord Lieutenant does not check them, because they will advise him to act in regard to their own action; if the Central Executive is to be understood, then in respect of money that is to be devoted to Irish objects only the Lord Lieutenant is not to receive the advice of the Irish Ministry, but of the British Ministry. In Clause 31 the Lord Lieutenant appoints the Irish Comptroller and Auditor General. In making that appointment under whose advice is the Lord Lieutenant to act? With reference to what has been said about prosecutions of the Paymaster General by a private individual, I think that the Solicitor General is reducing the administration of the Criminal Law to an absurdity. If the Paymaster General acted in the way described he would act with the sanction of the Irish Ministry, among whom would be the Attorney General, who could enter a *nolle prosequi* at any moment and stop the prosecution at his own will, and no private individual could proceed with it unless the Attorney General approved of it, and whether he has to institute or bear the expenses of the prosecution, he has the control of it as much as if he was the prosecutor. If the Criminal Law has to be carried out at all, it is virtually at the will of the Attorney General.

MR. T. M. HEALY (Louth, N.) asked whether in England, in the case of a private prosecution, the Attorney General could enter a *nolle prosequi*?

SIR H. JAMES replied that at any time the Attorney General could stop such a prosecution.

*Sir H. James*

MR. W. E. GLADSTONE, whose remarks were almost inaudible in the Reporters' Gallery, was understood to speak as follows: It is not in accordance with usual order or convenience to discuss every clause in the Bill on any particular Amendment. I therefore decline to follow my right hon. Friend, and refuse to discuss any clause except the one immediately under consideration. The case, as presented to the Committee, is that the Paymaster General might act in flat contravention of the law. Supposing that officer to be prosecuted by a private individual, the supposition carefully put forward by my right hon. Friend is that the Attorney General would interfere. I cannot help thinking that suppositions, which appear to be something entirely extravagant, are indulged in. I can assure my right hon. Friend, without any discourtesy, that I cannot enter upon the subject, for I know well that that would be to give ground for the further development of argument and discussion. When we come to the clause we shall deal with it. At present I am not defining the duties of the Viceroy, and I think it would be absurd on this clause to justify Clause 5. What I have stated is that absolutely the Viceroy must be bound, under all circumstances, to refuse to do any act which is in contravention of the Statute. It might be said that the phraseology is insufficient; it might be thought so; I do not admit it is. I have done all in my power to give every reasonable explanation, and I have done everything that reason or equity demands for the purpose of avoiding unnecessary debate.

MR. J. CHAMBERLAIN (Birmingham, W.): I do not rise to continue the discussion in any controversial spirit. I am sure no one will charge my right hon. Friend with intentional discourtesy in this or any other Debate; but I think he has misapprehended the point of my right hon. and learned Friend. My right hon. Friend the Prime Minister said that it was not convenient, in discussing Clause 3, to deal with the subsequent clauses in the Bill. But it is impossible to avoid that, and he himself is an instance of it, because when we proposed

to deal with this particular point on Clause 3 my right hon. Friend referred to Clause 10, and he explained that in Clause 10, Sub-section 4, they would find the provisions which they desired. The sub-section of Clause 18 states—

“It shall not be lawful for the Legislative Assembly to adopt or pass any Vote, Resolution, Address, or Bill for the appropriation for any purpose of any part of the public revenue of Ireland or of any tax except in pursuance of a recommendation from the Lord Lieutenant in the Session in which such Vote, Resolution, Address, or Bill is proposed.”

Will the right hon. Gentleman tell us whether it is intended in this sub-section to refer to the Irish Executive in connection with the Lord Lieutenant? If it is so, then I think the sub-section is of no value for the present purpose. Until we have that information we cannot properly decide whether or not it is necessary to insert further precautions in Clause 3. We only want to know what it means? [*Laughter.*] I know it is thought a most unreasonable contention on our part that we should wish to understand the meaning of the discussions. It is the opinion of some hon. Members that we are not here to discuss; that we are not wanted to understand; but that we are simply here to vote. I do not think that is the view taken by my right hon. Friend. If the Lord Lieutenant, mentioned in Clause 18, is the Lord Lieutenant acting on the advice of the British Government, then I should advise the noble Lord to withdraw the Amendment.

MR. W. E. GLADSTONE: I have no hesitation in saying, in respect to any charge which is in violation of the provisions of this Act, no advice of the Irish Executive would have the smallest influence on the attitude of the Lord Lieutenant, who would be bound to obey the instructions of the Imperial Government.

MR. JESSE COLLINGS (Birmingham, Bordesley), whose remarks were interrupted by constant cries of “Divide!” said, he did not rise for the purpose of occupying time, but simply for the purpose of getting some information. Up to now this Debate had been carried on between eminent lawyers on legal points, and these eminent lawyers were diametrically opposed to each other. The other part of the Debate had been

carried on across the Table of the House, appearing to hon. Members like an afternoon tea-table conversation, scarcely a syllable of which they had heard. He wanted to know something from the point of view of the practical politician, and from that point of view they had had no light whatever. The further they got with the Bill only tended to show what a tremendous leap in the dark the Government were prepared to take and their supporters to back up. As far as the speeches from the Government Benches went, they were to have a small tribute-paying Province under this Bill; but as far as the Bill itself went, they were to have, if not an independent Parliament, yet everything in the Bill to enable the Irish Legislature to become an independent Parliament. What they wanted was to have the substance of the speeches they had heard embodied in the Bill. They gained nothing from these discussions except a further conviction of the utter hopelessness of the whole of every clause of this Bill, and the great difficulty which Parliament was unnecessarily undertaking for itself in creating this Legislature in Ireland.

Mr. Byles rose in his place, and claimed to move, “That the Question be now put,” but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

MR. JESSE COLLINGS expressed the hope that there would be no more accusations against the Unionists of being opposed to the Irish people. If they wanted imputations against the Irish people and Irish Representatives they could find them made in their strongest aspect and strongest language by right hon. Gentlemen on the Government Bench.

Mr. J. Morley rose in his place, and claimed to move, “That the Question be now put.”

Question, “That the Question be now put,” put, and agreed to.

Question put accordingly, “That those words be there inserted.”

The Committee divided:—Ayes 188; Noes 240.—(Division List, No. 103.)



\*MR. G. BALFOUR (Leeds, Central) said, he was not without hope that the Government might be induced to accept the Amendment which stood next on the Paper in his name.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

\*MR. G. BALFOUR said, his Amendment was to insert, in line 21, after the first "Crown," the words "or the prerogatives, or other executive power of the Crown." It was possible that the restrictions he desired to add were already included implicitly in the language of the Bill. He did not know whether that was so, and whether the word "Crown" was intended to cover "the prerogatives or other executive power of the Crown." Perhaps he might receive some intimation from the Solicitor General as to whether the words he proposed to add were regarded as already included, because, if so, he had no desire to take up the time of the Committee unnecessarily. If the hon. and learned Gentleman gave him that intimation it would relieve him from the task of showing that the power to legislate on the prerogatives of the Crown should be withheld from the Irish Legislature.

\*SIR J. RIGBY said, that to a certain extent the object of the hon. Gentleman's Motion was already attained. He considered, for instance, that the word "Crown" included different prerogatives. But with regard to the words, "other executive power of the Crown," he doubted whether the hon. Member had quite thought out what their effect would be. These were not words known to the Courts, or used in the processes of the law. Where, for example, the Sheriff acted in levying upon goods, he did it by virtue of the executive power of the Crown. Words of such wide extent as these would have the effect of cutting down the power of the Irish Executive in relation to the most ordinary matters within its jurisdiction. If, however, the hon. Gentleman's intention was to deal only with such matters as were outside the jurisdiction of the Irish Legislature, it would be seen that that object was already

attained. The Amendment had a much wider scope than he believed was intended by the hon. Gentleman. He was afraid the Government could not accept the Amendment as it stood.

THE CHAIRMAN: The Question has not yet been proposed.

Amendment proposed,

In Clause 3, page 1, line 21, after the first "Crown," to insert the words, "or the Prerogatives or other Executive power of the Crown."  
—(*Mr. G. Balfour.*)

Question proposed, "That those words be there inserted."

\*MR. G. BALFOUR said, there might be a certain objection to the words, "or other Executive power of the Crown," arising from the fact that some portions of the Executive power of the Crown were of minor importance, and that it would be unwise to withdraw them from the jurisdiction of the Irish Legislature. Supposing the words of the Bill were to stand as they were now, without the addition of the word "Prerogatives," he wanted to know whether it would be competent for the Irish Legislature to pass a law enabling them to interfere in the appointments to such Executive offices as, under the Bill, would give a title or claim to the holders to sit on the Executive Committee of the Privy Council; and whether, under the Bill as it stood, it would be competent for the Irish Parliament to pass a law withdrawing the appointment of the Judges from the Executive and vesting it in the Legislature or leaving it to a popular vote? Those were the kind of powers he wished to withdraw from the competence of the Irish Legislature.

\*SIR J. RIGBY said, that with regard to the first part of the question—that was to say, whether the Bill as it stood would enable the Irish Legislature to deal with those officers who would form part of the Executive Committee—a clause later on clearly provided that by an Irish Act alterations of that kind could be made. As to the appointment of Judges, certainly the appointment of Judges, other than Exchequer Judges, was treated as within the power of the Irish Legislature; and as the Bill stood it would appear not to be outside the functions of the Irish Legislature to provide some

method of appointing them other than on the responsibility of the Executive of the day. He did not think the Amendment of the hon. Member would really touch these points at all.

MR. W. E. GLADSTONE : Hear, hear !

\*SIR J. RIGBY : It would leave matters just as they were. The words "Executive power" would scarcely cover the appointment of Judges—to suppose that they would, would be a very wide stretch of the words "Executive power." What he would suggest was, not that these were matters so unimportant that they should not for that reason be excluded from the jurisdiction of the Irish Legislature, but rather that they were matters so plainly mixed up with the powers given to it, so plainly involved in the legislation permitted, that there ought not to be general words inserted in the Act to cripple and prevent the Legislature from carrying out the legislation entrusted to it in the most practical and reasonable manner. He therefore objected very much to the generality of the words proposed, believing that they would create serious dangers and difficulties. The Bill, he would suggest, was at present quite clear enough as it stood in the definition of matters which were of Irish import and which related to Ireland only, and he did not think any further words were required to establish greater certainty with regard to the limitations of the legislative power.

MR. W. E. GLADSTONE : The words of the Amendment are far too large. I take it that everything that is entrusted to the Crown by an Act of Parliament becomes, *pro hac vice*, an Executive power. Every farthing of public money which is expended is given to the Crown by grant of Parliament ; and, having been given to the Crown, the expenditure of the money in the manner directed becomes a matter of Executive power. Suppose a sum of money is granted out of the Consolidated Fund for the purpose of a particular salary, it is the duty of the Crown to expend the money on that salary. Surely the hon. Member does not intend to say there should be change, or power

of change, in respect to that salary. I repeat, that the words "Executive power" are far too wide.

\*MR. G. BALFOUR said, he appreciated the objections urged against the Amendment ; and perhaps it would be better, in view of them, that he should draft particular Amendments dealing with the points where he thought the interference of the Irish Legislature with the Executive power would be dangerous. That being so, he begged leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

GENERAL GOLDSWORTHY (Hammersmith) said, he desired to move, in line 22, to leave out the words "Lord Lieutenant as." His object was to give effect to a view he had long entertained—namely, that Ireland should not have exceptional treatment in the matter of a Lord Lieutenant. He saw no reason whatever why Ireland should have a Lord Lieutenant, when no such functionary was appointed for England and Scotland. He considered, further, that Ireland should have a Royal residence, and that Members of the Royal Family should visit that country. He knew that this opened up a very large question, and he should like to assure the right hon. Gentleman the Prime Minister that his Amendment was not put down with the view of damaging the Bill ; but it was really his confirmed opinion that a Lord Lieutenant was detrimental to the best interests of the Irish people. He did not believe this Bill would become law—nay, he did not think it would ever pass the House of Commons—still, this was a good opportunity for calling attention to a subject on which he felt strongly. Having been Adjutant General in the South of Ireland for five years, having seen a great deal of the Irish people, and having served in an Irish regiment for years, he had had a good opportunity of forming an opinion as to the Irish character. He considered that the Irish people were easily led. But, at the same time, it was necessary to lead them in the right way. He did not believe in parties in Ireland. He did not belong to Ulster nor to the South, but he practically

occupied an independent position; and his view was that the Office of Lord Lieutenant was detrimental to the interests of the Irish people, and that it was a mark of inferiority. He had been told that the abolition of the Lord Lieutenancy would render the Home Rule Bill inoperative; but though he believed that difficulty might be met, he did not think the Bill as it stood would be workable under any circumstances. He was of opinion that eventually it would be necessary to delegate some of the powers of that House to Local Legislatures. That House was overburdened with work, and to relieve it it would be necessary to give to the various parts of the Kingdom the management of their own local affairs. At the same time, he wanted to see a Bill introduced that would be workable. When such a measure was introduced it surely would not be proposed to give England a Lord Lieutenant; and, if that were so, why should they, solely on account of the narrow strip of water separating her from the rest of the country, put this inferiority upon Ireland? He desired to see a Secretary of State appointed for each part of the United Kingdom, believing that, under the existing system, they hurt the feelings of the people of Ireland without pleasing the English people. A great deal of the outcry for Home Rule and the expression of discontent in Ireland had been due to this exceptional treatment, and to the fact that the Irish people had been denied the privileges of Local Government which had been given to the rest of the United Kingdom. They also wanted to see Royalty more actively associated with Ireland. He could not help thinking, whilst witnessing the ceremony of the opening of the Imperial Institute the other day, that displays of that kind were needed in Ireland. It was said that the Irish people did not wish to see the Lord Lieutenant abolished, for the reason that the Viceregal Court brought money to Dublin. But he did not wish to do away with any expenditure of money in Ireland. He was only against Ireland being treated differently to the other parts of the United Kingdom in this matter, and he hoped in the future to see the residence in the country of a Member of the Royal Family as a

*General Goldsworthy*

Representative of the Sovereign. The presence of Royalty, with a real ceremonial, was what he wished to see, and not a tinsel show of the Lord Lieutenancy. That, he believed, would appeal to the sense of loyalty of the people, and would conduce to the welfare of the country in many respects. Notwithstanding that he had lived five years in the South of Ireland he had never attended a *levée* in Dublin, though, of course, he did not mean that he sympathised with the policy of boycotting the Lord Lieutenant, whatever Party might happen to be in power. He had attended Her Majesty's Drawing Rooms in England; and if any Member of the Royal Family had held a *levée* in Ireland whilst he was there he should have considered it his duty to attend. He hoped the Irish Members would not think that he was moving his Amendment in a spirit of hostility to them. He had made it a rule since he had been in the House never to do or say anything which could unnecessarily irritate those hon. Members; but he believed he was making this proposal for the best interests of the Irish people. He desired to see an end put to the present system, whereby one section of Irishmen showed antipathy to a Lord Lieutenant, whilst another section sympathised with him. He wished to see the Irish people treated with the consideration they had a right to demand, whether they resided in the North or the South of the Island. For those reasons he begged to move the Amendment standing in his name on the Paper.

Amendment proposed, in page 1, line 22, to leave out the words "Lord Lieutenant as."—(*General Goldsworthy*.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. W. E. GLADSTONE: There are but few consolatory features in this Debate, and therefore the rare consolations which it affords are very welcome, and we must make the most of them.

MR. T. W. RUSSELL: We cannot hear. Speak up.

MR. W. E. GLADSTONE: It is a real consolation to hear an hon. Gentleman sitting on the opposite side of the House make a speech in the spirit of the speech which the Committee has just heard. I am convinced of the sincerity of every word which the hon. and gallant Gentleman has uttered; and if I cannot accede to the Amendment, it must not be inferred therefrom that I do not sympathise with a very large portion of what has fallen from the hon. and gallant Member. Go back to the history of this subject, or take the Lord Lieutenant as he is. There has been a difference of opinion amongst persons very honestly disposed in connection with Irish politics as to the expediency of maintaining the Lord Lieutenancy. I remember one nobleman who earned a reputation in Ireland—Lord Carlisle—who was at one time Chief Secretary and at another Lord Lieutenant, was of opinion that the Lord Lieutenancy on its present footing tended to maintain Party spirit in Ireland, and, as tending to maintain Party spirit, should be abolished, and Lord J. Russell went so far as to bring in a Bill for that purpose. There was no Party opposition to the Bill. It was received without prejudice; but the first impediment that appeared in its way was the great authority of the Duke of Wellington, who contended that to have some Representative of the Executive power residing in Ireland was a thing indispensable. But now I do not quite understand how far the hon. and gallant Member intends to express dissent from that opinion. The hon. and gallant Gentleman has expressed a strong desire that a Member of the Royal Family should reside in Ireland; and, speaking in the abstract without reference to this or that person, I agree with him that it would be a very desirable thing indeed. The custom which the hon. and gallant Member wishes to see established has prevailed in other countries in ancient times, quite apart from questions of democracy, of nationality, or other agitating questions. I will give an example. At the period when Flanders was attached to the German Empire, before the German Empire became simply an Austrian State, the rule—the general rule—was to have a branch Court at Brussels, presided over by a Member of the Royal Family. A symbol of Royalty is important in most

countries, and is highly important in a country like Ireland, where, as the hon. and gallant Gentleman said in a kindly and generous spirit, the people are easily led. In other words, they are a people who, if you give them fair play, and do not bar the way to mutual understanding, would be easy to govern. Even under the present system, when the Viceroy is undoubtedly liable to be associated to too great an extent with this or that particular Party, it has been found impossible to abolish the Office, and the impartial opinion of those best qualified to form a judgment is that it cannot be got rid of. The question whether the Viceroy should be a Royal person or not is a totally different question. I am convinced that when what we call Home Rule becomes the law of Ireland a Party character will cease to attach to the Viceroy. There is no Party character in Colonial Governors; they are not representative of Party, and that, I hope, will be the case of the Irish Viceroys under the new system. We cannot part with the Viceroy any more than we can part with Colonial Governors. We cannot say to the Colonies—"Matters affecting you shall be referred to Secretaries of State, and they shall decide whether or not the Royal veto shall be exercised." To withdraw from Ireland the representation of the Imperial power that exists there now—although under very unfavourable circumstances—would be a retrograde step. We cannot part with the Lord Lieutenant; Ireland, even under the present system, could not be governed by a Secretary of State residing in London. Still less would it be possible so to govern it when you have a Home Government established, for the ordinary transactions of that Home Government would be Irish and not Imperial transactions, and with regard to them an officer resident in London would labour under enormous disadvantages. Consequently, although I sympathise with the feelings of the hon. and gallant Member, and agree with what he has said as to the immense moral power even in this sometimes called democratic age of what may be called Royal association beneficially exercised, yet I am sorry to say we are obliged to object to the Amendment, because, even under the present system, it has not been found possible to dispense with a local head to the

Executive Government, and because under the new system, when Irish affairs will be separated from Imperial affairs and transacted on the spot, even if the Office were held by a Royal person, it certainly will not be possible to do so.

MR. A. J. BALFOUR: The discussion the hon. and gallant Member has initiated is of the greatest interest. I have never myself strongly advocated the retention of the Lord Lieutenant. The question, indeed, never came formally before us, but it has been frequently raised in an informal manner on the Vote in Supply for the Lord Lieutenant's Household; and I have never committed myself, nor have my Colleagues, to any view as to the propriety or impropriety, the expediency or in expediency, of retaining the somewhat anomalous Office of the Lord Lieutenant. That Office is now divided really into two different portions. It has two quite separate spheres of activity. It is a great Ceremonial Office, and it is in name, at any rate, a great Executive Office. My hon. and gallant Friend admits that in Ireland there ought to be a great Ceremonial Officer representing the Crown—if possible a Member of the Royal Family—but he thinks that the Executive duties of the Lord Lieutenant may properly be given over to some other officer, a Secretary of State. Without committing myself to the plan of my hon. and gallant Friend, I agree with him that under the existing system we are drifting into the division of the ceremonial and Executive functions of the Viceroy, and that under the new system that is proposed we ought officially and formally to accept that division. The right hon. Gentleman opposite, dealing with the present system, said that it was impossible to govern Ireland without having on the spot an Executive Officer like the Lord Lieutenant to carry out Executive functions. I wish he would ask the Chief Secretary for Ireland how many Executive functions are now really carried out by the Lord Lieutenant in Ireland. Every one acquainted with the government of Ireland knows that the whole tendency in modern times has been to throw more and more into the hands of a gentleman who is in everything but name a Secretary of State the

*Mr. W. E. Gladstone*

real Executive functions in Ireland, and to reduce the Lord Lieutenant to the position of a great Ceremonial Officer. I do not say that this division of functions has ever been carried out completely, but the stream of tendency has been in that direction. That being the existing state of things, what do the Government propose to substitute for it? They propose to abolish the Secretary of State, and to throw upon the shoulders of one man the ceremonial functions and the Executive functions, and to divide the latter into two different classes, in one of which the Executive functions are to be exercised by the Lord Lieutenant on the advice of the Irish Government, and, in the other, the Executive functions are to be exercised practically according to the instructions of the British Cabinet. That system, I confess, I think must break down. I think it will be found impossible—the more we discuss the clauses of this Bill the more it will be found impossible to exercise the proposed double Executive functions of the Lord Lieutenant satisfactorily, and when ceremonial functions are added to them the system will, I believe, fall to pieces by its own weight. The right hon. Gentleman appears to hope that if Home Rule should ever be carried the Lord Lieutenant will be a great Executive and Ceremonial Officer disconnected from Party. I do not understand on what the right hon. Gentleman bases that expectation. Under this Bill, as we know from a speech of the President of the Local Government Board, the great safeguard against the misuse of power by the Irish Executive resides in the veto of the Lord Lieutenant, acting upon the advice of the English Government; and if these functions are to be a reality the Lord Lieutenant in future will be ten times more a partisan than he is at the present time. No doubt, at the present time, owing to the position which the Irish controversy has occupied during the last 10 years, the Lord Lieutenant has found himself looked at askance by one Party or the other. But that was not always the case; and if, as I hope and believe, the Home Rule Bill is not passed and the Irish controversy gradually fades, we shall find that the Lord Lieutenant will practically cease to be mixed up with Party politics,

and will have at his Vice-Regal Court members of all Parties, all interests, and all sections alike. But to suppose that such a result can possibly follow if you pass this Home Rule Bill and hand over to the Lord Lieutenant the enormous responsibilities which the measure will cast upon him, appears to me to show a sanguineness of disposition which throws the lessons and results of experience absolutely to the winds. I do not know whether my hon. and gallant Friend will think it necessary or desirable to take a Division. If he does, I shall certainly vote with him, and for this reason: that it appeared clearly when we were discussing the last Amendment, and will appear, I am convinced, more and more clearly as we make our progress through this Bill, that the functions you propose to throw on the Lord Lieutenant are functions which he cannot possibly carry out. You had better make up your mind, if you must keep up ceremonial functions in Ireland, to have two officers—one representing Royalty, and being above and altogether removed from Party politics, and the other being a great official who shall endeavour, as far as he can, to carry out the double rôle which you allot to the Lord Lieutenant in this Bill and do his best during half the week to act as the Representative of the Irish Cabinet, whilst during the other half-week he tries to act as the Representative of the British Cabinet.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): There are one or two points which the right hon. Gentleman has raised that need a word or two's reference from me. First of all, as to the recent history of this question, the right hon. Gentleman said there had been no formal invitation given to this House in recent times to express its opinion respecting the Office of Lord Lieutenant. The right hon. Gentleman is mistaken. Very soon after I came into the House, in 1887, the present Leader of the Irish Nationalist Party—the hon. Member for Longford (Mr. J. McCarthy)—moved the Second Reading of a Bill for the abolition of the Office of Lord Lieutenant. The discussion took place on a Wednesday afternoon, and

there was no Division. The curious thing is, however, that the right hon. Gentleman the Member for Dublin University (Mr. Plunket) made a very strong speech in favour of the maintenance of the Office, and he did so, in some degree, upon Home Rule grounds. I do not mean in the least with reference to an Irish Legislature; but what he said was—

“He would have no hesitation in saying it would be impossible for the then Lord Lieutenant to perform his difficult duties as he had done during the last year if he were a Minister obliged to be in attendance in the House of Commons.”

I only refer to that as showing that the House was invited to express an opinion upon the maintenance of this Office, and that the only gentleman who spoke from the Conservative Benches was in favour of retaining that Office. The right hon. Gentleman who has just sat down seems to suppose that it is only in recent years that the Office of Lord Lieutenant has been a Party Office.

MR. A. J. BALFOUR: I recognise, of course, that it has always been a Party appointment, but I rather intended to imply—I may be wrong historically—that it has only been within the last 10 or 15 years that, as a rule, the Lord Lieutenant was “boycotted” by one or other Party in the State.

MR. J. MORLEY: I believe my right hon. Friend the Prime Minister, who knows these facts better than he or I know them, is confident that during the last 15 years the state of things has not prevailed to which the right hon. Gentleman has alluded. As to the existing system, it is, no doubt, quite true that in a general way, certainly for the last 15 years, the Chief Secretary has had more to do with Executive duties than the Lord Lieutenant. I must, however, remind the right hon. Gentleman of the exception of Lord Spencer. Lord Spencer, of course, being a Cabinet Minister, had the most immediate and direct control of the Executive work. But, however that may be, the right hon. Gentleman is right in saying that the stream of tendency has been, and is, that the Chief Secretary should sit in this House, and because he sits in this House should have the control of, and be responsible for,

Executive action which does not belong to the Lord Lieutenant. The precise degree to which the Lord Lieutenant confines himself to ceremonial functions and takes part in Executive acts will, of course, vary with circumstances; but in a general way it has been proved that since 1880 the Chief Secretary has had more to do with Executive action than the Lord Lieutenant. One reason for that is that it is during the last 13 years that the Irish Question has entered into one of its very acute phases, and, that being so, it is perfectly natural, and indeed inevitable, that the Minister responsible for Ireland should sit in this House, which, whatever view we may have on the question of a Second Chamber, is the Body through which public opinion can be best consulted. As to the remarks that have been made on the system proposed by the Bill, of course a great deal more will have to be said on that question when we come to the 5th clause, and I think we had better reserve discussion upon the matter until we reach that clause. I think the right hon. Gentleman must feel himself that, as the Government believe that the policy on which the Bill rests is sound, and that our plan or some such plan is inevitable and indispensable, it is necessary to have an officer resident in Ireland, in constant touch with Irish feeling, and in constant relation with Irish Ministers in a way and to a degree that no Secretary of State residing in London practically for six months in the year could possibly be. I consider that the whole of this fabric, whether it be sound or unsound, would fall to pieces, because you would remove the keystone from the arch if you took away this Executive officer and set up in his place two officers to perform two sets of functions. On these grounds we must resist the Amendment.

MR. HENEAGE (Great Grimsby) said, the right hon. Gentleman might have made a most interesting speech, and might have answered everything that had been said by the supporters of the Amendment; but, as far as those who sat in his (Mr. Heneage's) part of the House were concerned, they had not heard a single syllable—[*Cries of "Oh!"*] Well, he supposed he knew best. Of course, hon. Members did not like to interrupt the Prime Minister;

*Mr. J. Morley*

but they really thought that the right hon. Gentleman the Chief Secretary might make himself audible. With regard to the Amendment, he had always been opposed to the maintenance of the office of Lord Lieutenant, whom he had always looked upon as a species of political dummy. The Lord Lieutenant had nothing whatever in the world to do apart from those things which appertained to a Ceremonial Office. Except in the case of Lord Spencer, and during the short Lord Lieutenancy of Lord Carnarvon, the Lord Lieutenant's Chief Secretary had been his master. He (Mr. Heneage) objected to the maintenance of any office in which the man who was nominally responsible had under him someone who was really his master and who always pulled the strings. To continue the system under the new state of things it was proposed to inaugurate would be an absurdity. He did not think that "Lord Lieutenant" was a good name to preserve in Ireland, the Lord Lieutenant being associated with what was popularly known as "the Castle"; and, that being so, he did not think the retention of the title would commend itself to Irishmen. What was the Lord Lieutenant to do under this Bill? He was to be at the bidding of the Irish Executive on some occasions and of the Imperial Executive on others; he was to be a sort of administrative "Dr. Jekyll and Mr. Hyde," and was never to know for two minutes together which character he was to assume. Was the Lord Lieutenant to be used merely for ceremonial purposes, or was he to be an Executive officer? It appeared to him (Mr. Heneage), from what had been said in the course of the discussion, that he was to be a most important administrative officer. At the same time, he was to be under the control of the Chief Secretary. Who was to represent Irish affairs in the House of Commons—the Home Secretary, the Colonial Secretary, or the Foreign Secretary? Occasionally, it must happen that the Lord Lieutenant, acting as the Representative of the Imperial Parliament, would exercise the veto in regard to some Vote in Supply, and in that event who was to defend his action in the House? What was to be the position of the Lord Lieutenant? Was he to continue to be entirely under the control of some British Minister, or was

he to act under the direction of the Irish Executive? Was he to have control over the Naval and Military Forces of the Crown? What was he to do? Unless they received some more specific answer to these questions he should vote for the Amendment of the hon. and gallant Gentleman opposite.

MR. MACARTNEY (Antrim, S.) said, he believed there was no question on which Irish Unionist opinion was so unanimous as on the abolition of the Lord Lieutenancy; and having listened attentively to the Debate, he was bound to say he had heard nothing to lead him to assume that the position which the Lord Lieutenant would occupy under an Irish Administration would materially differ from that which he held under the present system. Irish Unionists believed that the Lord Lieutenant was a mischievous element in the Irish Government; for under our modern arrangements he really exercised no political power, and had practically no influence on the Government of Ireland as an Executive officer. There was a great deal in what the Chief Secretary said with regard to the fatal effect which the Amendment, if carried, would have on the Bill. That in itself was a strong inducement to him to support the Amendment; and it also showed clearly how precarious was the Constitution to be given to Ireland when the withdrawal of a simple ceremonial officer would destroy the whole fabric. The Prime Minister had indicated that the Lord Lieutenant would merely be the ceremonial head of the new Government, and it did seem absurd to say that the suppression of the office would destroy the whole Bill. He thought they had good reason to complain that they were left completely in the dark as to when the Lord Lieutenant would exercise his duties as ceremonial head of the Irish Government and when he would begin to act as guardian of British interests. Did the Government propose in any future clause to add machinery which would assist the Lord Lieutenant in distinguishing between those two phases of his character? for it was evident from what had been said that afternoon that he might be called upon at any moment to decide most

delicate questions which might arise between the Irish Legislature and the Imperial Parliament. If the Lord Lieutenant was to be called upon to decide intricate questions, they would have to create a supply of hereditary Constitutional lawyers which up to the present time this realm had not produced. He believed the policy embodied in the Amendment of his hon. and gallant Friend was one which had the unanimous support of Irish Unionists. They submitted to having the Lord Lieutenant as the head of the Government, because they had not yet had an opportunity of getting rid of a system which they believed to be mischievous in the extreme; but he was convinced that when they did get a chance of again proposing legislative measures for the better government of Ireland, one of their efforts would be to promote a Bill for the abolition of the Lord Lieutenancy.

\*SIR J. FERGUSSON (Manchester, N.E.) said, he rose in consequence of the statement of the Government that it would be impossible to conduct the Government of Ireland if the head of the Government were not resident in Ireland, as it was insisted he should be. But he wished to remind the Committee that at one time Scotland had a separate Government and Parliament. Scotland never had a Lord Lieutenant, but a Secretary of State, who was generally with the King in London. There were several chapters in Macaulay's *History* which described the state of the Government of Scotland shortly before the union of the two Parliaments. He was acquainted, too, with the correspondence that passed at the end of the 17th century between the Secretary of State for Scotland (Lauderdale), who was resident in London, and his deputy in Edinburgh, and bore out his statement. If that was the case at the time when Scotland was practically further from the centre of Government than Ireland was in the present day, there could be no difficulty in the way of having a Secretary of State often in London responsible for Irish Government. It all turned on whether the Imperial control was to be a real one or not; if it was to be real, then it could not be wielded by the Lord Lieutenant as proposed. He



recognised a strong family likeness between the Lord Lieutenant's position under the Bill and that of a Colonial Governor. They were both appointed for a period of six years; and now the Committee had learnt that the Lord Lieutenant was to exercise the prerogatives of the Crown on the advice of the Irish Ministers, and was therefore to be a mere figurehead. Like the Colonial Governors, he could only act through Constitutional advisers, and would have no more direct power than the Sovereign.

**MR. W. E. GLADSTONE:** I entirely dispute the historical reference of the right hon. Gentleman. Does the right hon. Gentleman mean to maintain that all the persecutions of the Covenanters in the reigns of Charles II. and James II. were directed by a Secretary of State in London? [*Sir J. FERGUSON:* No.] Certainly they were not. They were conducted by the Council of State, and under a totally different system. If the right hon. Gentleman means to propose a Council of State in the same sense, there may be something in his argument; but otherwise his reference fails totally to sustain his point.

**\*SIR J. FERGUSON:** I was not describing the state of things under Charles II. or James II., but under William III., and the correspondence shows that the Minister who resided near the King was to have the chief direction of affairs. Matters in Scotland were managed by a deputy.

**MR. W. E. GLADSTONE:** I beg your pardon.

**MR. PLUNKET** (Dublin University) said, that as the Chief Secretary had referred to some arguments which he used 10 or 12 years ago, he might perhaps be permitted to say a few words in explanation of his views. He did not altogether agree with his hon. Friend the Member for South Antrim that there was an entirely unanimous feeling in Ireland in favour of the abolition of the Lord Lieutenantcy. His views on the subject were formed in happier days in the recent history of Ireland before the Home Rule Question had come upon the stage; and certainly in the part of the

country in which he lived there was by no means a unanimous opinion among Conservatives against the Lord Lieutenantcy. He believed that at that time the Lord Lieutenant's office was popular with both political Parties; and he desired most strongly that it should be held, if possible, by some member of the Royal Family. He was not prepared to say how far the circumstances of the last 12 years might not have altered the conditions of the case, but he hoped and believed that when this insane Home Rule agitation and policy had passed away, the old traditions would revive again in Ireland; and he should then be prepared to vote for the retention of the Lord Lieutenant's office, to be filled by as distinguished a personage as possible. But what on earth had these reasonings to do with the case that was before the Committee? What kind of an office was to be filled under the Bill by the Lord Lieutenant? Imagine a Royal personage being asked to undertake such an office! The position of the Lord Lieutenant as described by the Government—an official responsible to-day to the Nationalist Parliament in Dublin and to-morrow to the Imperial Parliament in London—reminded him of a very clever caricature which he had seen on the stage not long ago in this City. A very able actor personated in one performance an Irishman and a Scotchman at the same time. On one side he was dressed in a Scotch kilt and on the other side in Irish costume; and he managed to change the expression of his face in accordance with the side of him that was presented to the spectators. When the band struck up a Scotch reel he danced it to perfection, with the Scotch leg exposed to view, and when an Irish jig was played he was equally good with the other leg as "Paddy." The performance of the Lord Lieutenant would be of a similar nature, if he were to be called upon to-day to dance to the tune of an Irish jig and to-morrow to follow the strains of "God Save the Queen."

**\*MR. T. W. RUSSELL** (Tyrone, S.) said, the Prime Minister had referred to the Bill, brought in by Lord John Russell, for the abolition of the Lord Lieutenantcy, and to the views of Lord Carlisle in favour of the abolition of the Office which he once held. That Bill he

*Sir J. Ferguson*

found, by the Records of Parliament, was actually read a second time; but it then mysteriously disappeared, and had not been heard of since. With regard to the abstract question, he thought that the difference between the right hon. Gentleman the Member for Dublin University and the hon. Member for South Antrim as to the retention of the Lord Lieutenantcy was accounted for by the fact that one represented Dublin opinion, which was favourable to the Lord Lieutenantcy, and the other a part of the country which was not so much brought into contact with the Lord Lieutenant. The real question before the Committee, however, was, what was to be the position of the Lord Lieutenant under the Bill? The Chief Secretary had given him a very excellent reason for voting for the Amendment when he stated that to take the words out of the Bill was to take the keystone out of the arch. It was to do that very thing that he was in the House of Commons, and he should most certainly support the Amendment, and press it to a Division, whether the hon. and gallant Member liked it or not. Assuming the Bill to be carried and in operation, and supposing a disorderly state of affairs to have arisen in Kerry, Clare, or Limerick, with which the Irish Government were unable to cope, would the Irish Members be allowed to raise the question in the British House of Commons? And, if so, who was to answer them, as being responsible for the government of Ireland? At present, it appeared that the House would not be able to fix anybody with the responsibility. There would be an ornamental gentleman in Dublin, where he could not be reached. Anarchy might be reigning in Ireland, and Parliament would be powerless to stop it. He hoped the Chief Secretary would tell them who was to be responsible for Irish affairs in the Imperial Parliament.

Earl Compton rose in his place, and claimed to move, "That the Question be now put;" but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

SIR T. LEA (Londonderry, S.) said, the Members who represented Unionist constituencies must press for an answer

to the important question which had been put by the hon. Member for South Tyrone. The Irish Members were to remain in the House of Commons; Irish discussions were bound to be raised, whether the Prime Minister liked it or not; and who was to be responsible for Irish government in the House? Irish Land Legislation was to be reserved from the Irish Parliament for three years. During that time, what British Minister was to take up the question in which Irish tenant farmers were intensely interested? If hon. Members from Ireland brought in a Bill dealing with the land, which Member of the Government would deal with it? This was a very serious point.

MR. J. MORLEY: The Government quite agree that the point is a most serious one; but I submit that this is not the clause on which to raise it. The Government are quite prepared to make provision for the representation in the House of those responsible for what goes on in Ireland, just as there is representation of those responsible for what goes on all over the Empire. When the proper time comes—on Clause 5, for example, which concerns the Constitution and functions of the Executive power—the Government will be willing to discuss the matter.

Question put.

The Committee divided:—Ayes 265; Noes 219.—(Division List, No. 104.)

\*SIR A. SCOBLE (Hackney, Central) moved to amend the clause by inserting on page 1, line 22, after the second word "or," the words—

"Which may affect the authority of Parliament, or any part of the unwritten laws or Constitution of the United Kingdom of Great Britain and Ireland, whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom, or the sovereignty or dominion of the Crown within the same; or."

He said that, instead of laying down specifically the things with which the Irish Legislature should be allowed to deal, the Bill enumerated certain matters which were withdrawn from the cognisance of the Legislature in Ireland. It followed that every subject which was not withdrawn was left to be dealt with by the Irish Legislature; and, therefore, in

fixing the limits great care should be exercised to leave out nothing which it was intended that the Irish Parliament were not to have power to control and command. This Amendment was not a new-fangled one. It was introduced into the Indian Council Act of 1861, and had the approval of such eminent statesmen and jurists as the late Lord Derby and Sir Henry Maine. He thought he was justified in asking the Committee to insert the same words in the present Bill. The principle embodied in the first part of the Amendment had already been affirmed by the acceptance of the Amendment of the right hon. and learned Member for Bury. He had given notice of his Amendment before the Amendment of the right hon. and learned Member for Bury, and what he proposed was nothing more than a natural corollary of the Amendment of the right hon. and learned Gentleman, and it would give to those who were entrusted with the Executive Government of Ireland a practical remedy against possible mistakes which might be committed by the new Irish Legislature. Under the Amendment of the right hon. and learned Member for Bury it would be competent for the Imperial Parliament to repeal Acts passed in error by the Irish Legislature; but, under the Amendment he suggested, it would be impossible for any measure which contravened the authority of the Imperial Parliament to come into operation, even if passed by the Irish Legislature, because those who advised the Lord Lieutenant, whether they resided in Ireland or in this country, before giving assent to any Bill in contravention of the authority of the Imperial Parliament, would be bound to tell him that he would be justified in refusing assent to that Bill, and in that way all conflict with the Irish Legislature and the Imperial Parliament would be avoided. The second part of his Amendment related to a matter as to which there could be no difference of opinion in the House. He had been struck by the absence in the Bill of any direct reference to allegiance to the Crown. Of course, it might be suggested that, by introducing the Queen as one of the constituent elements of the Legislature, there was an implication of allegiance to Her Majesty; but he was desirous of having in the Bill something

more definite than an implied allegiance. When Members of Parliament entered the House they took the Oath of Allegiance. No similar obligation was imposed by the Bill on Members of the Irish Legislature. But he did not think it necessary at this stage to put upon the Paper any Amendment imposing a statutory obligation upon the Members of the Irish Legislature to take the ordinary Oath of Allegiance to the Crown. He wished to have a recognition in the Bill of those unwritten features of the British Constitution, whereon the allegiance of the subjects of the Crown in this country depended. He did not think there was any need for him to press this upon the other side of the House. He did not suppose that anyone who was anxious that the Monarchical Constitution of our country should be maintained would be desirous of loosening the ties of allegiance of any of Her Majesty's subjects. All he asked for was a recognition of it on the face of the Bill, and with that object he begged to move the Amendment.

#### Amendment proposed,

In page 1, line 22, after the second word "or," to insert the words "which may affect the authority of Parliament, or any part of the unwritten laws or Constitution of the United Kingdom of Great Britain and Ireland, whereon may depend in any degree the allegiance of any person to the Crown of the United Kingdom, or the sovereignty or dominion of the Crown within the same; or."—(*Sir A. Scoble.*)

Question proposed, "That those words be there inserted."

\*THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar): I do not know that there is anything in the Amendment which can be objected to except this—that it has all been fully provided for already. The hon. and learned Gentleman proposes that we should take note in the Bill of one point only of our Common Law. That is a proposition of a dangerous tendency. If we are to take note of that one point, we had better at once include in the Bill the whole of *Stephen's Commentaries*, or some other book of authority on Common Law. The authority of Parliament, as the hon. and learned Gentleman has already pointed out, is provided for by the acceptance of the Amendment of the right hon. and learned

*Sir A. Scoble*

Member for Bury, so far as the supremacy of Parliament is concerned. The words which have been borrowed from the Indian Act are quite proper to be inserted in a Statute for a country in which questions may arise as to the particular position of the subjects of Native Princes with whom we are in alliance; but these are questions that cannot possibly arise under this Act. The principle of the Common Law is clear that every person born a subject of Her Majesty must continue, without taking any Oath of Allegiance, to bear allegiance to the Crown all his life. The only way in which he can get rid of that allegiance is by complying with the provisions of the Naturalisation Act, 1870; and the Bill expressly provides, in Clause 3, Sub-section 6, that treason, treason-felony, alienage, and naturalisation shall not be dealt with by the Irish Parliament. A Legislature that cannot make laws as to alienage and naturalisation cannot make laws dealing with the allegiance of any of Her Majesty's subjects. It should be also remembered that nothing can be dealt with by the Irish Parliament that does not exclusively affect Ireland or some part of Ireland. It would be impossible to suggest that making a subject of Her Majesty not a subject of Her Majesty is a matter affecting Ireland alone.

CAPTAIN NAYLOR-LEYLAND (Colchester) said, the hon. and learned Gentleman had given them the answer which he invariably gave when he made a speech in this House. He either told them that what they proposed was already provided for, or that it was going to be provided for. He was led to think that occasionally the Solicitor General forgot that in this House he represented the chief Law Officer of the Crown. They did not want playful frolicsome banter from the hon. and learned Gentleman, but the views of a Constitutional lawyer, which they had a right to expect. The Amendment approximated to one which he had on the Paper which was ruled out of Order. He supported the Amendment, because he thought the supremacy of Parliament ought to be inserted in clear and definite terms, not only in every clause, but in every line and every sentence of the Bill. The supremacy of Parliament had been ac-

knowledgeed by the Irish Members in the House; but what guarantee had they that it would be recognised by the Members of an Irish Parliament? If they divested themselves of Parliamentary authority as regarded a part of the Empire they ceased to be a Sovereign Power so far as affected that part. It might be argued that that was the relation of this country to the Colonies at the present time; but it was their love and loyalty, and not the Parliamentary sovereignty, that bound the Colonies to this country.

MR. LOUGH (Islington, W.), rising to Order, asked if the hon. and gallant Gentleman was discussing the Amendment?

THE CHAIRMAN: The hon. and gallant Member is rather discussing an Amendment which has already been settled by the Committee.

CAPTAIN NAYLOR-LEYLAND said, as he read the Amendment, it dealt with the allegiance to, and Sovereignty of, the Crown.

THE CHAIRMAN: That is so. The hon. and gallant Member will be in Order in discussing that part of the Amendment, but he was not discussing it.

CAPTAIN NAYLOR-LEYLAND said, he was attempting to discuss the supremacy of Parliament.

THE CHAIRMAN: That has been settled, and is not the question raised by the Amendment.

CAPTAIN NAYLOR-LEYLAND said, his contention was that if the Amendment was not accepted the Imperial Parliament would not be a Sovereign Parliament. [*Cries of "Order!" "Divide!" and "Question!"*] The three strongest arguments of hon. Gentlemen opposite seemed to him to be concentrated in the words, "Divide!" "Question!" and "Order!"

MR. CONYBEARE (Cornwall, Cambridge): Is the hon. and gallant Gentleman in Order?

THE CHAIRMAN: The hon. and gallant Member must confine his remarks to the Amendment.

MR. CONYBEARE: Make him sit down.

CAPTAIN NAYLOR-LEYLAND, resuming, said, that unless the supremacy of Parliament were clearly defined in every clause of the Bill it would be in the power of the Irish Members in the future to be able to say whether or not the Imperial Parliament was a Sovereign Parliament. [*Cries of "Order!"*]

THE CHAIRMAN: The hon. and gallant Member must confine himself to the question raised in the Amendment. The matter to which he refers has already been settled by the Committee.

Mr. Conybeare rose in his place and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

CAPTAIN NAYLOR-LEYLAND said, he accepted the Chairman's ruling, though it seemed to him that the questions of Allegiance and the Sovereignty of Parliament were inseparably connected. He hoped the Government would yet accept the Amendment, which could do no harm and would save much public time. He appealed to the First Lord of the Treasury to leave our Parliamentary Sovereignty as it was, unimpaired and unquestioned.

Mr. Conybeare rose in his place, and claimed to move, "That the Question be now put"; but the Chairman withheld his assent, and declined then to put that Question.

Debate resumed.

\*SIR A. SCOBLE (Hackney, Central) said, he desired to remind the Solicitor General, and through him the Committee, that the Common Law could at any time be changed by Statute, and it was to prevent that that he had put the Amendment on the Paper.

Question put.

The Committee divided:—Ayes 238; Noes 276.—(Division List, No. 105.)

The figures having been announced,

MR. TOMLINSON (Preston), addressing the Chairman, said: I desire to call your attention to the fact that there was an hon. Member (Mr. Wayman) in the Ay Lobby who did not come through.

MR. MARJORIBANKS (Berwickshire): The hon. Member was not telling in the Ay Lobby, but in the No Lobby. He would, therefore, have no knowledge of what occurred in the Ay Lobby.

SIR HERBERT MAXWELL (Wigton): I told the hon. Member from my own personal knowledge.

MR. TOMLINSON: It is the duty of any hon. Member of this House to call attention to an irregularity which is brought to his notice.

THE CHAIRMAN called Mr. Wayman (Yorkshire, W.R., Elland) to the Table.

THE CHAIRMAN asked whether the hon. Member was within the Folding Doors?

MR. WAYMAN: I was upstairs writing in the Upper Lobby.

THE CHAIRMAN: Did you hear the Question put?

MR. WAYMAN: I heard the Division called, but I did not hear the Question put.

THE CHAIRMAN ruled that the hon. Member was not entitled to vote.

The following is the Entry in the Votes:—

Whereupon Notice was taken that Mr. Wayman, Member for the Elland Division of the West Riding, had voted with the Ayes, not having been in the House when the Question was put. Mr. Wayman explained that he had been writing in the Upper Ay Lobby, and coming down stairs had been counted in the Ay Lobby, although he had wished to vote with the Noes.

The Chairman thereupon stated that, as the hon. Member had not been within the Folding Doors nor heard the Question put, he was not entitled to vote; and directed the Clerk to correct the numbers accordingly.

The Chairman then declared the Numbers Ayes 237, Noes 276.

MR. PARKER SMITH (Lanark, Partick) moved the following Amendment: In Clause 3, page 1, line 22, after "Crown," insert "or the altering of their own name or style." He said the Amendment, if carried, would stand as a separate sub-section. The object of the Amendment was to provide that this Irish Legislature, if it was created, should not have the power of forthwith calling themselves an Irish Parliament.

This question was raised by the Amendment of the hon. Member for East Clare, to substitute the word "Parliament" for "Legislature," and he supported that Amendment not because he desired to see a Parliament in Ireland, but on the ground that if that Bill created a Parliament it was only right to call it so. He supported that Amendment on the further ground that if that Legislature were created, and they in England called it a Legislature, the very first thing it would do would be to call itself a Parliament. He gave as a precedent where that very thing was done the case of Victoria. The Act which gave a Legislature to Victoria called it a Legislative Assembly, but in the very first Session, and in the very first chapter of a Statute which they passed, the Legislature of Victoria had a clause enacting "That the Legislature of Victoria shall be and is hereby called 'the Parliament of Victoria.'" The House of Commons, however, was practically unanimous in rejecting the Amendment of the hon. Member for East Clare, and, on the whole, he (Mr. Smith) was well pleased with that conclusion, and satisfied that the House should by such an overwhelming majority have declared that there should not be a Parliament in Ireland. The only question that really arose regarding this sub-section was the question whether the Irish Legislature under this Bill would have the power to give itself the name of Parliament, and, of course, under the 10th section of the Bill the Irish Legislature had only the power to repeal or alter any provisions which by this Act were alterable. That seemed to him not to make the matter explicit or certain. It left it an open question whether it was a repeal or alteration for the Irish Assembly to add, as it were, a provision to the Bill when it became an Act; that that Assembly should in future be called a Parliament, and it was important that the matter should be made clear and certain now. If the Bill as it stood would prevent the Irish Legislature from altering its title and taking the title of Parliament, and if Irish Members were prepared to acquiesce in that view, the greater part of his object would be attained; but it would be well if a point on which all were agreed could be made certain by adopting the Amendment.

Amendment proposed, in page 1, line 22, to insert the words "the altering of their own name or style."—(Mr. Parker Smith.)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE said, the first objection to the Amendment was that it was in the wrong place; secondly, the provision it would make was absolutely made already. The Irish Legislature could not alter anything in the Bill except in virtue of express power conferred upon it for that purpose. If the words used were not the best for the purpose—and it was his belief that they were—the time for amending them would be when dealing with the clause itself. His third objection to the Amendment was that it was objectionable to select, in a measure which was not intended to be alterable unless by express enactment, one particular point, and to say that that should not be altered. The plain effect of an Amendment to attach inviolability to a particular provision was to reduce the inviolability of others. From the point of view of the hon. Member, the Amendment was unnecessary and inexpedient, as it raised doubts as to other provisions of Acts of Parliament.

Question put.

The Committee divided :—Ayes 234 ; Noes 278.—(Division List, No. 106.)

It being half-past Five of the Clock, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow.

#### PLUMBERS' REGISTRATION BILL.

(No. 91.)

COMMITTEE. [*Progress, 20th February.*]

Order for Committee read.

MR. S. EVANS (Glamorgan, Mid) : I object.

MR. LEES KNOWLES (Salford, W.) trusted the hon. Member would not object to progress being made with the Bill, which was a measure clearly in the interest of the public. There was hardly

a person in the country who had not suffered from bad plumbing work. The Bill would also be to the interest of the plumbers themselves. He would ask that the Order for going into Committee might be discharged, so that the Bill could be referred to the Standing Committee on Trade.

Mr. S. EVANS : I object.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside) : I hope the hon. Member will not persist in his objection.

Mr. S. EVANS said, there was a Bill on the Paper in which the Welsh Members were interested which ought to have been taken to-day in the ordinary course. They had had no assistance from the Government in regard to it; therefore, they could not consent to the Motion now made.

Committee deferred till To-morrow.

#### LICENSED PREMISES, DISPLAY OF FLAGS, &c.

##### LEAVE. FIRST READING.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to repeal the provisions of the Act of the sixth and seventh years of William the Fourth, chapter 38, relating to the display, on licensed premises, of flags and other decorations."—*(Mr. T. M. Healy.)*

Mr. TOMLINSON : I object.

Mr. T. M. HEALY : This is a Bill to enable the Union Jack to be waved on every public-house in the North of Ireland.

\*Mr. R. G. WEBSTER (St. Pancras, E.) : It is not illegal to display the national flag of our country—the Union Jack—on any building in the United Kingdom, and I hope it never will be. Does this Bill propose to remove the St. Patrick's Cross from the Union Jack? The law in Ireland does not affect the Union Jack, which is a national flag, and simply prevents the display of local Party emblems on licensed premises.

Mr. T. M. HEALY : It will repeal the Act which forbids the display of flags on public-houses in Ireland. Great inconvenience has lately been experienced by the Orange Party in Dublin and Belfast owing to their inability to display

the Union Jack on public-houses. I am anxious to remove that disability, and to prevent policemen making raids on the public-houses which display these decorations.

Motion agreed to.

Bill ordered to be brought in by Mr. T. M. Healy, Mr. Sexton, and Sir Thomas Esmonde.

Bill presented, and read the first time. [Bill 379.]

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (NO. 8) BILL.

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the town of Bangor, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 377.]

#### LOCAL GOVERNMENT (IRELAND) PRO- VISIONAL ORDER (NO. 9) BILL.

On Motion of Mr. John Morley, Bill to confirm a Provisional Order made by the Local Government Board for Ireland, under "The Public Health (Ireland) Act, 1878," relating to the town of Lisburn, ordered to be brought in by Mr. John Morley and Sir John Hibbert.

Bill presented, and read first time. [Bill 378.]

#### CONSOLIDATED FUND (No. 2) BILL.

Read a second time, and committed for To-morrow.

#### CIVIL SERVICES (EAST INDIA) BILL. (No. 243.)

Order for Second Reading read, and discharged.

Bill withdrawn.

#### ELEMENTARY EDUCATION (BLIND AND DEAF CHILDREN) BILL.

On Motion of Mr. Arthur Acland, Bill to make better provision for the Elementary Education of Blind and Deaf Children in England and Wales, ordered to be brought in by Mr. Arthur Acland and Mr. Mundella.

Bill presented, and read first time. [Bill 380.]

#### PUBLIC PETITIONS COMMITTEE.

Twelfth Report brought up, and read ; to lie upon the Table, and to be printed.

House adjourned at ten minutes  
before Six o'clock.

## HOUSE OF LORDS,

*Thursday, 1st June 1893.*

Several Lords—Took the Oath.

SAT FIRST.

The Marquess Camden, after the death of his father.

## WILD BIRDS PROTECTION BILL.

## SECOND READING.

Order of the Day for the Second Reading, read.

\***LORD BALFOUR:** My Lords, I do not think I need detain your Lordships very long in moving the Second Reading of this Bill. The object of the promoters of the Bill is a very simple one, and one which will, I think, when stated, command the respect and support of the great majority of the House. The object of the Bill is to afford better means of protection by law than exists at the present time for certain species of wild birds which, from various causes, particularly require protection. My Lords, if I were asked to state what test I would apply in order to see whether any species of wild bird required protection or not, I should say you could determine the question by the test whether or not that species of bird was or was not largely decreasing in numbers. The necessity for the Bill arises from the increase of a certain class of persons who make a business, mainly for profit, of collecting birds' eggs in places where they are more or less easily got, and of species which are somewhat rare. I do not know whether any of your Lordships noticed in the Spring of last year that some of those to whom I have referred went so far as to ask for subscriptions to a sort of Syndicate or Company in the Midland Counties for the purpose of employing persons in their interest to go to places in the North of Scotland, where some of the rarer kinds of wild birds' eggs are found, and to collect them wholesale. I do not think I am using too strong a term, from the contents of a circular which has been sent to me, when

I say it really amounts to a wholesale depredation of the eggs of certain kinds of birds which are not by any means too plentiful. There are other places all over the country where birds congregate in considerable numbers and where they breed, and the scale of prices at which the eggs can be sold is held out as a temptation for taking them during those times of the year when they can be obtained. And not only do the eggs require protection, but certainly during the breeding-season the adult birds ought also to be protected. My Lords, it is said that the Bill as it stands is open to various objections. Noble Lords opposite and others have pointed out to me that as the Bill stands a County Council and the Home Secretary, working together, could, if they chose, pass a bye-law which would, in fact, prohibit all shooting of game in the administrative county under their control. Of course, such a result as that, I need hardly say, is very far from the wishes or desires of the promoters. Again, it is objected that as the Bill stands it would be theoretically possible to punish schoolboys for taking the nest of black-birds or sparrows. Of course, no such result as that is desired, either by myself or by those who have been most active in promoting the Bill. My Lords, I am not responsible for the drafting of the Bill. The Bill was introduced into, and has passed through, the other House of Parliament. If it was not introduced into the other House, in the shape in which it now comes to your Lordships, it has at any rate passed through the other House of Parliament in the shape in which it now stands; and until your Lordships have read the Bill a second time—if you will be so good as to read it a second time—there are no means of making known the Amendments which I dare say more than one noble Lord will be anxious to see introduced into it. I may say that I am prepared to move some Amendments myself, and I have knowledge that some of your Lordships are desirous of putting down Amendments with the view to making the Bill more useful and practical than it is at the present time. There is one point to which I ought, perhaps, to call attention. It may be thought desirable not to protect all species of birds, and not to give the Home Secretary and County

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Councils the power to shut up all places where birds are found. If it is the wish of the House to protect certain species of birds and their eggs by putting them in a Schedule, or, on the other hand, to protect certain places in particular, those are all matters for consideration; and I can only say that I shall be most anxious to accept help in the matter from all quarters of the House, keeping only in view the purpose of making the Bill efficient for the main objects which I have stated. I should be prepared to delay the Committee stage of the Bill for a few days so as to give plenty of time for consideration. I have only to say, in conclusion, that this is a subject which can, I think, be thoroughly well considered in this House. There are many noble Lords who have a thorough knowledge of country life, and who are well aware of the necessity for such a Bill as this; and I am quite certain that after this Second Reading, when we get to the Committee stage, help will be obtained from all quarters of the House for the purpose of making this an efficient and proper measure.

Moved, "That the Bill be now read 2<sup>a</sup>."  
—(*The Lord Balfour*.)

\*THE DUKE OF RICHMOND AND GORDON: My Lords, I do not rise for the purpose of opposing this Bill on Second Reading. No doubt the object of the Bill is one which will commend itself to all noble Lords in this House; but it seems to me to give an additional proof, if one was wanting, of the great advantage which the country derives from the existence of your Lordships' House, because if the measure had not to pass the ordeal of this House we should have had a Bill passed through the other House of Parliament under which not one of your Lordships could shoot a single head of game if the County Council, having the control in that part of the country, with the assistance of the Home Secretary, chose to say so. I see many noble Lords around me who are very fond of shooting, and I think they would be much astonished if they found that the County Councils and the Home Secretary together were to have power to prevent them shooting a single head of game on their own estates during the whole breeding season, that game being their own property just as much as the

*Lord Balfour*

timber which is grown on their land. With regard to the protection for eggs, that, I know, is a somewhat difficult question, because it has been held by some Magistrates, or by some Judges, that they cannot accept the suggestion that a particular kind of egg belongs to a particular species of bird; and unless the bird has been seen to lay the egg, they deny the possibility of its being proved to be the egg of any particular bird which may be put in a Schedule. I am glad to hear from my noble Friend that the measure he proposes will be referred to a Select Committee, and that he will be prepared to accept various Amendments which may be proposed to it—

\*LORD BALFOUR: I did not propose that the Bill should be referred to a Select Committee; I said I should be prepared to allow some time to elapse before the Committee stage.

\*THE DUKE OF RICHMOND AND GORDON: Then it will be considered in Committee of this House, which will be much better able to deal with it. But, my Lords, the question of protecting the eggs of wild birds might, I think, be dealt with by giving power to the County Councils to declare a certain close time for certain districts in the country. That would not apply to the whole country, but they would only be districts to which the birds usually resort. The fact that for a certain period this would be considered a close time, should be well-known throughout the district, and published beforehand, so that anyone going into that part of the country at that time for the purpose of collecting eggs would know that he was liable to punishment. But I entirely agree with my noble Friend that it would be quite impossible to put an end to the popular amusement of birds'-nesting among the younger members of the community; and I think if the Act was put into force very strenuously, a strong feeling would be aroused against it throughout the country; while, on the other hand, if the Act was very seldom put into force, or only with a slight punishment, it would become a dead letter, and you might just as well not pass it at all. My Lords, I think my noble Friend will do well, as he has said, to get opinions from various parts of the House upon the Bill, and I have

no doubt he would do well in striking out that part of it which would prevent those who are fond of shooting from indulging in that sport; and with regard to the question of collecting eggs, I think we should be in a better position by having power in the County Councils to declare a certain close time for particular districts in the country.

THE LORD PRESIDENT OF THE COUNCIL AND SECRETARY OF STATE FOR INDIA (The Earl of KIMBERLEY): My Lords, I wish to say a few words on this Bill, in which I may say I take great interest. I entirely agree that the principle of it is one of which we should probably all approve; but with regard to the mode in which it is carried into effect, I agree with the noble Duke that it would be impossible to carry it into effect in its present form. I will not touch upon the proposals under which game might be prohibited from being shot; but with regard to the protection of eggs, I was very glad to hear what was said by the noble Duke opposite. I do not profess myself to have any experience in these matters, but it has been brought to my notice that if you simply prohibit the taking of the eggs of particular birds, you will probably altogether fail in the object you have in view. What is wanted is to prevent the destruction of certain species of wild birds which are rapidly diminishing, and which, if not protected, will probably vanish out of the country altogether. The eggs of some species of rare birds are to be found in certain limited localities, and I believe, from what I am told, that it would be possible to define those localities, and to prevent the taking there, during a certain season, of all eggs, and in that way to preserve the eggs of particular birds. They are not localities which are frequented largely by other kinds of birds than those whose eggs it is desired to preserve, and you could, therefore, punish persons who are found in those districts with eggs. Those who are acquainted with the subject say that it is almost impossible to distinguish between the eggs of certain rare birds and those of other birds, and it would, therefore, be impossible to prove before a Court that the eggs taken belonged to the particular species of bird which you wish to preserve. If the taking of the

eggs of certain birds alone were prohibited, it would be almost impossible to prove that in any particular case. The Amendment suggested by the noble Duke deserves, I think, careful consideration, and I hope that, as well as many other points connected with the Bill, will be carefully considered in Committee.

THE LORD CHANCELLOR (Lord HERSCHELL): My Lords, there can be no doubt that this Bill has excited a good deal of interest, and also some alarm, even among those who desire to protect the species of wild birds whose protection is the object of it. I have been favoured with a communication from a very high authority on the subject—Professor Newman, of Cambridge. He has called my attention to the provisions of this Bill, and he is afraid that it will not attain the object desired, whilst it may, on the other hand, lead undesirably, in a considerable number of cases, to the infliction of punishment on those who are merely pursuing the pastime of birds'-nesting. They might suffer in a way which is very undesirable. In fact, when the matter was considered some years ago by a Committee of the British Association, of which Professor Newman was Chairman, one of the conclusions at which they arrived was that the practice of birds'-nesting has been so much followed in England that no Act of Parliament—except one of the most severe character—would stop it, and that such a measure would, by filling the gaols with boys, excite great opposition even among many of those who are at present favourably disposed towards legislation on the subject. There can be no doubt, I think, that any attempt to protect these wild birds by such means would excite hostility, and would lead to results which would tend to defeat the object in view. There is also a considerable amount of opinion in favour of the view that the birds which are decreasing most rapidly in numbers are precisely those the preservation of which is not largely affected by birds'-nesting; and, therefore, the diminution which is so much regretted would not be arrested to any material extent, and would certainly not be got rid of by the prohibition of birds'-nesting. My attention has been called also to the impossibility of dealing with this question in

the manner proposed in reference to the eggs. As has been said already by my noble Friend, the eggs of many birds are so much alike that it is often impossible, even for experts, to distinguish the eggs of rare species of birds from those of others which are more common. There is, therefore, a feeling in some directions that if there is to be legislation on the subject, it should be legislation dealing with places rather than with species of birds. But, of course, when you come to deal with places you are met with this difficulty, which I find mentioned in an interesting article written by Mr. Digby Pigott, when a Bill of this kind was first introduced, calling attention to the fact that the Great Stena one of the species of rare birds, which are decreasing in numbers, is found in districts in the Northern Islands, in Shetland, for example, where birds' eggs are largely used as an article of food—gulls' eggs—that it is difficult to distinguish between them, and they would probably be found not far from each other. If, therefore, you were to prohibit the taking of eggs in any place of considerable extent for the purpose of protecting the eggs of birds of this description, you would, at the same time, be preventing people collecting eggs which are to them a valuable source of food. If you were to limit the operation of this Bill to places, you would, therefore, have to see that while the districts were made large enough for the purpose of protecting the particular eggs you desire to protect, you were not, at the same time, making them so large as to deprive the people of the locality of an article of food, where they are accustomed to collect eggs for that purpose, and so cut off a valuable source of food supply. On those grounds I think it is necessary, in the first place, to pay attention to the selection of places; and, secondly, that great care should be taken not to make those districts too large in extent, but to confine them to the absolute necessities of the case. Another question which will have to be considered is that of giving notice of a change in the law—whether the Act ought not to provide for some form of publication which will make it certain that it will come to the knowledge of those who will come under the prohibition with regard to taking

*Lord Herschell*

eggs from birds' nests. At present the only provision is that such notices are to be published in newspapers circulating in the country, or by such other means as the County Councils shall determine. The only objection is that the notices must be published in newspapers, and that boys who are in the habit of going birds'-nesting would probably not be likely to read advertisements in the newspapers. It has been suggested, therefore, that publication should be made also by putting up notices in the local schools. Those are matters which it will, I think, be very desirable should be considered in Committee; but I thought it necessary to call attention to them at the present time with the view of showing the great care which will have to be exercised in order that the Bill may accomplish the object desired, and may not do considerable mischief.

LORD WALSINGHAM: My Lords, I entirely agree with what the noble and learned Lord has said as to the desirability of protecting places rather than species. As the places where rare birds breed are well known, and are generally of limited extent, I quite agree that the best way of protecting those birds is to deal with the places in which they breed rather than to extend protection to birds' eggs in general. The vast number of wild birds really need no protection at all. I think that was the conclusion that was arrived at by the Committee to which the noble and learned Lord referred, that there are certainly a number of species of birds which need no such protection. Then, with regard to advertising the change in the law, I think more notice, and very clear notice, should be given, so that it should be thoroughly made known to the people in the district from what places they are prohibited taking eggs. That I think will not be made known by advertisements in newspapers as thoroughly as it should be; but I think the necessary publicity would be given if notices were exhibited on houses or in schools as the noble and learned Lord on the Woolsack has suggested. If in Committee that Amendment were made I think it would meet the difficulty, and would be sufficient to carry out the views of those who wish to protect wild birds. I hope your Lordships will give a Second Reading to this Bill, of which, I believe, many noble Lords have already expressed approval.

Motion agreed to; Bill read 2<sup>a</sup> accordingly, and committed to a Committee of the Whole House on Tuesday the 13th instant.

★ **ELEMENTARY EDUCATION (RELIGIOUS INSTRUCTION) BILL [H.L.]—(No. 52.)**  
COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."

LORD SANDHURST desired to interpose a few remarks upon the Bill before the Committee stage. Lord Colchester, who, like himself, was a member of the London School Board, made a speech the other night in which he seemed to infer that the Bill was very generally desired by that Body. He was not at all convinced that the Bill was desired by those forming the majority of the London School Board who followed the lead of the Chairman. It was true that a small section was extremely anxious to see it passed into law; but, on the other hand, a large number were strongly opposed to the policy of the Bill. He objected to the Bill because he believed it would be found to be unworkable, and would tend to accelerate the strides now being made towards secular education. There were many denominations, and if all were to give distinctive religious teaching, even in a large school, the school building would have to be enlarged for the purpose of affording the accommodation that would be required. The interference with the ordinary work of the school would necessitate a re-arrangement of the time table; and the managers would be tempted to recommend the appointment of teachers, not for their qualifications as such, but because of the denominational views they might hold. He took his stand in opposing the Bill upon the compromise proposed by the late Mr. Smith and supported by the late Mr. Samuel Morley and by Professor Huxley. That compromise he regarded as a settlement of the controversy.

\*LORD COLCHESTER said, what he stated on the previous occasion referred to by his noble Friend was that there was a feeling of dissatisfaction in some respects with the present position of things. It could hardly be denied that there were

large numbers of people of various religious denominations who were desirous that their children should receive religious instruction of their own denomination in the schools. At the same time, he did not think the inconvenience from the number of different sects to be provided for would be as great as supposed. Many Dissenting Bodies did not attach so much value to religious teaching in day schools, though it was greatly desired by the Church of England, the Wesleyans, and others, who, as ratepayers, were as much entitled to consideration as those who differed from them.

\*LORD SHAND regretted he had been unable to be present at the Second Reading, or he would then have supported the Bill. He thought it was scarcely possible to exaggerate the importance of the measure. In London at the present moment there was a considerable agitation on the subject; and as soon as the existence of the Bill and the discussions upon it became known, there was not a School Board in the country that would not be deeply interested, and there were a great many families that would take the deepest interest in its progress and results. Many years ago he came to the conclusion that the only satisfactory solution of the religious difficulty would be in carrying out some such national system as was now proposed in this Bill—namely, that there should be combined secular education supported from the rates and opportunities for separate religious instruction in every school allowed to the different religious denominations as a matter of voluntary action on their part. Much had been said as to the compromise arrived at in 1870 which was embodied in the Cowper-Temple Clause in the Education Act; but, in his opinion, too much weight had been attached to that compromise. With the advance of time the bitterness of the controversy on religious education, which made compromise necessary, had become abated; more of the spirit of tolerance prevailed now, and he submitted that the compromise of 23 years ago was not in any degree to be held binding now. And there was this further advantage, in reviewing the question at the present time, that experience had shown, as he contended, that the provision made for religious

education in 1870 had not brought out satisfactory results. The total absence of all religious education in schools was a great injury to the country. What was the system now pursued? All that was done was that for a short time in each school there was a portion of Scripture read. That was not anything like a provision for religious education. Some noble Lords maintained that this was well supplemented by home training. Could anyone seriously say, with any knowledge of the homes of this country, especially of the working classes, where the parents had but little time for such duties, that there was anything like adequate home religious education given to children? It was idle to represent that there could be time for such instruction in the vast majority of working-class homes. He did not deny that without such instruction children might be brought up to speak truthfully, and to act honourably in accordance with the principles of morality; but in the view of those who supported the Bill it would add greatly to the strength of the moral lessons inculcated if they were supported by reference to the sanctions and the motives supplied by the teaching of Christian doctrines. It could not be suggested that the objection which was made to the scheme of 1870 applied to this scheme at all, because here, for the first time, the proposal was that while secular teaching alone should be thrown upon the rates, religious education should be supplied by the different religious bodies themselves. With regard to the objection that such a system was impracticable, he might mention that shortly before 1847 there was a school opened in Edinburgh by a well-known clergyman of the Free Church; but he made it a condition of admission that the children who came to the school should receive religious teaching according to the Presbyterian doctrines. The result was that a great many Roman Catholic children were left in the streets. That was considered by many as a very great injustice, and it was resolved that another school should be established, which should be conducted on quite different principles. Accordingly the United Industrial School was founded in 1847, and ever since, for nearly half-a-century, it had been successfully conducted. By

*Lord Shand*

the constitution of that school the subscribers generally were to pay for the secular education of the children; but the religious education which might be given was to be kept distinct, and was to be paid for by those who were interested in the particular denomination whose doctrines were to be taught. The school had subscribers among those who were regarded as extreme Liberals in politics. The late Mr. Adam Black, who was one of the staunchest Liberals in Scotland, was one of the main supporters of the school, and the noble Lord (the Earl of Rosebery), who conducted the foreign affairs of this country, had been, and was still, its President, and took the deepest interest in its welfare. Mr. Donald Crawford, the Member for North-East Lanarkshire, and Mr. Wallace, the Member for East Edinburgh, were also supporters of the school. The various Reports showed again and again, from the day on which the school was founded until the present time, that its Chairman and Directors had expressed the strongest conviction that in the principle of securing for the children common secular and separate religious education, if fairly carried out, would be found the ultimate solution of the educational difficulty. This was no small or recent experiment: the matter had gone beyond the region of experiment. There were 54 schools in Birmingham also, in almost every one of which religious instruction had been carried on for a period of 20 years precisely in the way which was proposed by the Bill, and with general satisfaction. With regard to the objections that had been urged against the Bill, not one of the noble Lords who had spoken against it had denied, so far as he understood, that the measure would be a desirable one if it could be practically carried out. It had been suggested that it would be likely to stir up religious animosity, and thus hinder the work of education; but he believed the tendency of the measure would be in quite the other direction. As long as this whole question was left undetermined there would be contention and agitation about it. But if, by a measure like that before their Lordships, the different denominations obtained the absolute right to have religious teaching in the schools on their own suggestion and at their own expense, an end would be put to the present unsettled and unsatisfactory state of things.

He saw nothing whatever in the measure calculated to foment or raise religious animosity. Another objection urged against the Bill was that, if passed, it would lead to some question or difficulty with denominational schools. He ventured to think that no such question would arise; but, even were it probable, this objection was not a good reason for rejecting a measure good in itself, and any such point could be dealt with when it arose. He appealed to noble Lords who had opposed the Bill to re-consider the matter. He believed it was possible to effectively carry out the scheme proposed, and he thought he had shown this by the illustrations he had given. If this measure was passed they would strengthen the hands of the Education Department in resisting demands for founding denominational schools in future. It might now be said in support of such demands that children could not get the religious teaching they required within the particular district or parish. That plea would be at once taken away by the adoption of this Bill. Public opinion had been maturing for a long time in the direction of the measure. Reference was made on the last occasion when the Bill was before their Lordships to a passage written by Dr. Martineau, in which he stated that he was willing to accept a Bill of this kind, and would hail it; and allusion had also been made to Mr. Huxley's views. It might be interesting to their Lordships to know that his esteemed friend Mr. Huxley, who was opposed to the proposal then before the London School Board, thoroughly approved the scheme of the Bill. It was substantially a Liberal measure, and was supported, as he had shown, by many eminent Liberals. The Bill would confer on Roman Catholics benefits to which they were justly entitled. In due course he presumed the Bill would go to the other House; and it was hardly to be supposed that the Roman Catholic Members, especially the Representatives from Ireland, would refuse on any grounds to support a measure which would give their Church equal privileges with the Church of England and other Churches in the United Kingdom. He earnestly hoped that, for the various reasons he had given, the Bill would be passed. He felt he ought not, in justice to himself, having so long

held the views he had now stated, to remain silent in the discussion of so important a subject.

LORD ORANMORE AND BROWNE said, that, so far from this being a new system or an experiment, it had been carried on, at all events as far as Ireland was concerned, and to a great degree successfully, for more than 50 years. Lord Stanley then established there a National system of education which was founded on the principle of separate religious and united secular teaching, and there seemed no reason why a measure of the kind should not be applied to England. In Ireland it had certainly had the most excellent effect, though, no doubt, some of the most intolerant had refused to accept it. It was extraordinary, with the noble Earl's great knowledge of this question, that he should not have been aware how long this system had existed in Ireland. No doubt the Roman Catholic clergy would like to have no religious teaching but their own; the system had, however, down to this time, been more or less carried out by the School Boards in Ireland; and he hoped their Lordships would adopt it for this country.

Motion agreed to: House in Committee accordingly.

Clauses 1 to 4, inclusive, agreed to.

Clause 5.

\*LORD LINGEN wished to make a few remarks on this and the previous clause. He said the scope of the Bill appeared to have been misapprehended by some of the noble Lords who had spoken in support of it. It was merely with reference to Board Schools, and no others, to provide for religious instruction being given in them. The distinction should be borne in mind between the object of providing for denominational religious instruction under certain conditions and the means prescribed for effecting that object. Those means he could not but regard as unfortunate, and he believed that the Bill would be received in another place as a challenge. Whatever might be the merits or demerits of the Cowper-Temple Clause, it had produced, on the whole for 23 years religious peace, though he did not desire to stand up as a very ardent advocate of it. In 1870 it was

considered that the field was already mainly occupied by denominational schools; and, in the first instance, the Board schools were represented to Parliament as a supplement to the general system. Accordingly, the Cowper-Temple Clause was adopted as a compromise rather than that the schools should provide for united secular education and separate religious instruction. The Report of Lord Cross's Commission on the provision for religious instruction in Board Schools was, on the whole, favourable. This Bill did not deal, as it might be possible to deal, with the difficulties attending denominational education, which should, as far as possible, he thought, be met by separate schools. He deprecated the interference with the management of Board schools, which would be sanctioned by the clause, and suggested that provision for the religious teaching which the right rev. Prelate in charge of the measure desired to promote should be made in some different way. For instance, the position of denominational schools, as compared with that of Board schools, might be improved, and in that way the extension of religious teaching might be promoted.

\*THE LORD CHANCELLOR (Lord HERSHELL): My Lords, I cannot help saying that I do not recognise, in the instances which have been cited, anything like precedents for the provisions of this Bill. A case has been referred to in which two Committees were appointed, one Protestant and the other Roman Catholic, to see that the children received religious teaching according to which religion they belonged; but, as I gather, there was no provision for separate Presbyterian teaching, and children of that denomination received teaching of a general Protestant character. In the first place, I would point out that this is not a Bill dealing with all schools. It is, if I may say so without offence, an extremely partisan Bill. It insists upon provision being made for religious teaching at the instance of parents of a few children attending at the Board schools, but it makes no such provision as regards the vast number of denominational schools, which in many parts of the country are the only schools to which it is possible for parents to send their children. I venture to say the Bill is a partisan

measure, because it deals with Board schools only and does not apply to voluntary denominational schools, which are partly supported out of rates, and in many of which there might be a demand made for religious instruction of a different kind than is supplied. The right rev. Prelate is apparently only alive to injustice when it affects those who belong to the Church to which he belongs himself; he sees no injustice in the fact that in localities where there are no Board schools children whose parents belong to one denomination have often to attend schools where the religious instruction of a different denomination is given. I should not be surprised if the ultimate result of the proposal in the clause were to diminish the amount of religious teaching imparted in Board schools, and make the education secular only. A large number of schools in this country teach, I believe simply and briefly, the truths which are held in common by Churchmen and Nonconformists alike. That instruction is given to all the children. Would it be a gain to religious teaching for many of them that you substitute special religious teaching for those who are not of that denomination, but who, if the parents care enough about it, can receive that teaching at home or on Sundays? While this system might secure to a limited number of children a little more Church-teaching, it would, I think, result in leaving a vast number of children who most need it without religious teaching at all. The children who most need some kind of religious instruction in the schools are those whose parents, as a general rule, care nothing about the character of such instruction. In a vast number of the Board Schools there is, as I have said, religious teaching given, which, though it may not be the religious teaching of any particular denomination, is religious teaching to which a vast majority of laymen, whether Churchmen or Nonconformists, could take no exception. That teaching simply consists of the truths which are held in common by Churchmen and the great mass of Nonconformists alike. The instruction is given to all the children alike, and I ask whether it would be a gain if you were to substitute teaching of the special tenets of any sect. My belief is, as I have said, that in the case

of children whose parents care enough about the matter special religious teaching is secured to them by giving it on Sundays rather than on week days. This Bill, therefore, if carried into law would, I believe, strike a vital blow at the religious teaching in schools for the children who most need such instruction.

\*THE BISHOP OF SALISBURY expressed surprise that the Bill had been spoken of by the noble and learned Lord as a partisan measure. If it had been drawn specially in the interests of the Church of England, he would have put in "twenty children" instead of "five children" as the number for whom separate provision might be made. But he considered that his position as Bishop required him to be true to the first principles of religion rather than to the special tenets of the Church with which he was connected—that was to say, in this case to freedom of conscience. The noble and learned Lord, in speaking of voluntary schools, said they were supported out of the public rates. That was not the case.

THE LORD CHANCELLOR: Then I withdraw "rates" and substitute "grants." I believe that 74 per cent. of the cost is defrayed by grants.

THE BISHOP OF SALISBURY said, that those schools had been built at enormous cost, and were kept up at great expense—a burden which fell entirely on the shoulders of the promoters of the voluntary schools, who did not possess the privilege of borrowing capital like the Board schools, when improvements were suddenly demanded.

VISCOUNT HALIFAX thought that the noble and learned Lord could hardly have made himself acquainted with what had recently taken place in the London School Board when he spoke of this measure being extremely injurious to the cause of religious education in Board schools throughout the country. The religious teaching which was given under the London School Board was founded on the compromise arranged by the late Mr. W. H. Smith and Mr. Samuel Morley on the basis of the Cowper-Temple Clause, which was intended to secure the teaching of the Christian religion in Board schools. What was the fact at present? In the case of a very large number of children compelled to go to the London Board schools, it was found that the elementary truths of the Christian religion were neglected in

a manner which would surprise the noble and learned Lord. But when, in view of this state of things, certain gentlemen, who believed that the teaching of religion in the schools of the country was a matter of vital importance, asked that the provisions of the Cowper-Temple Clause should be honestly carried out, that the doctrines of the Atonement and the Divinity of our Lord should be taught in the Board schools, they were met by an outcry that it would inflict an injustice on a large number of ratepayers—Jews, Unitarians, and persons of other denominations. It had been conclusively proved, however, that the compromise established as between the members of the Church and the Nonconformists had now drifted into a supposed compromise between Christians and non-Christians. The School Boards throughout the country were professing to give instruction in the Christian religion, but they were doing nothing of the kind. Take the case of Wales, for example; the great majority of the schools there gave no religious teaching whatever, or very little, and we ought not now to refuse to provide that necessary religious teaching should be given under our great national system of education.

\*THE EARL OF SELBORNE intimated his intention to vote for Clause 5, if it was opposed, though he very much regretted that any occasion had arisen for the revival of this controversy. The existence of dangers had been referred to, but the dangers were not all on one side. Unless something was done to satisfy the religious feelings of the community in the matter of education their Lordships might depend upon it that their whole system of public education, sooner or later, would be endangered. It seemed to him that, as far as it went, the Bill would give relief from this danger. It would relieve the Board schools from what otherwise might be great difficulties in their way. The principle of the Bill seemed to him to be absolutely just. He regretted that this question had arisen; but as it had been raised, he should vote for the Bill, especially as their Lordships had already affirmed the principle of the Bill.

LORD SHAND moved, in page 2, line 13, to leave out from ("teach") to the end of the sub-section. Their Lordships would understand that the Amendments he proposed were of a friendly character,



with the view to improve the Bill and not to injure it in any way. The result of the clause as it stood would be to invite inquiry into the competency of the teacher to be a religious instructor, and he was afraid that implied examining him as to his religious belief. That would be objectionable, and would injure the Bill when it got to the other House of Parliament.

Amendment moved, in page 2, line 13, to leave out from ("teach") to the end of the sub-section.—(*The Lord Shand.*)

THE BISHOP OF SALISBURY accepted the Amendment.

Amendment agreed to.

LORD SHAND moved, in line 18, after ("incompetence"), to insert

("(d.) No part of the expense rendered necessary by any arrangement for giving separate religious instruction shall be paid from the funds of the School Board, but such expense shall be provided for to the satisfaction of the Board by the persons making application to have such arrangement made.") As provision was made in the Bill that the religious instruction might be given either within or outside the school-house, it might be necessary to pay for separate rooms, and such expense must not fall on the rates; and it seemed only right and proper, also, that where the school-rooms were used for that purpose, it should be in the power of the School Board to make a charge.

THE BISHOP OF SALISBURY asked whether it was really necessary to discuss this point, as it seemed a small matter?

\*THE EARL OF SELBORNE said that, if rooms had to be hired, it would be against principle for the expense to be thrown on the School Board, but the Amendment would not apply where the schoolroom was used, unless some extra expense was incurred.

LORD SHAND agreed that the noble and learned Lord had expressed the meaning of the clause, and that the question of payment would only arise if any extra cost was incurred. No injustice must be done to the rate-payers. With regard to the difficulty which had been suggested of getting the children to attend the religious instruction, his information from Birmingham was that all the children in the schools there did attend it. They certainly did

*Lord Shand*

not absent themselves by their parents' desire.

THE MARQUESS OF SALISBURY: I venture to suggest that we are not discussing here the position of the Birmingham schools or School Board. The Birmingham School Board will be in precisely the same position after this Bill has passed, if it does pass, as it is in now.

Amendment agreed to.

THE BISHOP OF SALISBURY moved the following words as a new sub-section (e) :—

("No teacher already employed in the school by the Board shall give religious instruction under this section without the consent of the Board or the managers.")

It had been thought that perhaps as a religious teacher there might be nominated, by parents, the master of a school. That appeared to be a serious objection, and it was thought better, therefore, to propose this sub-section to avoid any strain being put on the relations between the managers and the staff. It would serve as an interpretation upon the provision in Section A that the religious teacher might be a teacher in the school provided the Board approved.

THE LORD CHANCELLOR: It seems to me by implication to say that you may employ one of the teachers in the Board school for this purpose provided he is not already appointed at the time of the passing of this Act as manager.

THE BISHOP OF SALISBURY thought it conveyed exactly the opposite.

\*THE EARL OF SELBORNE said, this was intended to meet the objection that there would otherwise be an unlimited power of appointing persons who were teachers in the school; which ought to be subject to the consent of the Board or managers. It seemed to him that this was a distinct improvement.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 6 agreed to.

Clause 7.

LORD SHAND moved, in page 2, line 36, after ("board") to insert—

("On payment of a charge sufficient to meet the expense of printing such forms, where the same shall be printed.")

This was a trifling matter, no doubt, but it was just one of those trifles which sometimes aroused people.

Amendment agreed to.

Verbal Amendments.

Clause, as amended, agreed to.

Bill re-committed to the Standing Committee: and to be printed as amended. (No. 122.)

#### IRELAND (COUNTY LIMERICK).

##### QUESTION. OBSERVATIONS.

\*THE MARQUESS OF LONDONDERRY called attention to the condition of County Limerick; and asked Her Majesty's Government what steps they propose to take to deal with the unsatisfactory state of that county? He said their Lordships would remember three months ago he brought under the notice of the House the serious condition of the County of Clare, and called upon Her Majesty's Government to say what steps they proposed to take with reference to the appalling condition of that county. On that occasion Her Majesty's Government did not attempt to soar into the higher regions of anything approaching statesmanship; but they contented themselves with responding to his arguments by the crude and schoolboy retort, the well-known *tu quoque*. They said the county was not in a more unsatisfactory condition than it had been under the former Government. On this occasion, with reference to the County Limerick, such a *tu quoque* was absolutely impossible. He defied anyone to say that Limerick was in an unsatisfactory condition when Mr. Morley undertook the government of the country. On that point he would make a quotation from a Charge delivered by Mr. Justice O'Brien at Limerick Assizes on the 11th of July, 1892, a short time before Mr. Gladstone came into power. The learned Judge said—

"Almost all forms of exception to the ordinary state of society in the County Limerick in reference to the violation of the law have, I may say, entirely disappeared. Life is more secure, not only against violence, but against the menace or the apprehension of violence; property is more secure from all forms of invasion or interference; and all forms of social relations are relieved from the burden of that intolerable restraint upon personal liberty with which, unhappily, we have been too long familiar in this country."

It was, therefore, no exaggeration to say that when Mr. Morley undertook the government of Ireland the county was in a satisfactory condition; now it was

not in a satisfactory condition, but it was in a state of absolute lawlessness. He read with some surprise a statement made by Mr. Morley in the House of Commons a few days ago. The right hon. Gentleman said—

"Excepting in two bad areas I should regard the state of the Counties of Clare, Kerry, and Limerick as not any more serious, but as less serious at the present moment than it was when the present Government acceded to Office."

With that statement he joined issue; he gave it the flattest contradiction; and he hoped he should, from Mr. Morley's own mouth, make out his case that Limerick was in a most unsatisfactory condition compared with what it was when the present Government came into power. It ought ever to be remembered that Mr. Morley possessed the aid and support of very powerful auxiliaries in his endeavour to maintain law and order in Ireland. He had at his back the priests and both sections of the Nationalist Party, and their Lordships could at once discern where the fault lay when there existed the present state of lawlessness. The machinery was there, but it was not used. The Government were responsible, because, in defiance of warnings and in defiance of the fact that there had been the most palpable miscarriage of justice, they utterly refused to apply the remedy. In proof of his statement that Limerick was at present in an unsatisfactory and lawless condition he quoted from the Charge of Mr. Justice Gibson delivered in March last. Mr. Justice Gibson stated that—

"Although there was no form of the worst crime, such as murder, or attempt to murder, nevertheless there is in the Police Returns evidence of crime, and of a very formidable state of affairs. There has been an increase of specially reported crime of a very substantial character. The number this year was 81, as against 54 last year. His Lordship was by no means an alarmist, and he trusted that the apprehensions he might be induced to feel from reading these colourless Reports might be perhaps shown not to be warranted by the result in the future."

He would deal with the future later. At the time he delivered that Charge the learned Judge was referring to the following crimes committed in the county:—Twenty cases of arson, ten of moonlighting, two of firing at the person, ten of malicious injuries to property, nine of killing, cutting, and maiming cattle, and two cases of intimidation. Since that

Charge there had been one murder, seven cases of arson, one of attempted arson, seven cases of moonlighting, including the case of Quirke, whom they beat about the head; his son, whom they shot in the legs; and Brosnan, whom they beat about the head. He found that Mr. Morley stated that—

“The number of moonlighting outrages committed in Limerick between August 22, 1892—that was when Mr. Gladstone assumed the reins of Government—and April 30th, 1893, was 17, of which nine were agrarian and eight non-agrarian. In the corresponding months of 1891-2 there was but one case of moonlighting in the county.”

He wished to know—and here he was addressing himself specially to the noble Earl opposite (Earl Spencer), who on two occasions had represented Her Majesty in Ireland—how many of the men who were concerned in the 17 cases of moonlighting had been laid by the heels; and what was the course the Government proposed to take with them? Also, what was meant by “agrarian” and what by “non-agrarian” moonlighting? He had no doubt non-agrarian moonlighting meant raiding for arms or attacking houses; but, having looked with considerable care through the Returns in regard to agrarian outrages when he (Earl Spencer) was responsible as Viceroy for the government of Ireland, he found that raiding for arms and attacks on houses were included in agrarian outrages. But whether they were called agrarian or non-agrarian, these attacks on houses showed a condition of lawlessness very different to the condition which prevailed when Mr. Morley undertook the government of the country. To say that this lawlessness was confined to one small area was no excuse whatever; because, in that case, if the proper machinery were used, the perpetrators ought to be all the more easily detected and arrested. He knew well that in 1887 the condition of Limerick was very nearly as bad as that with which the Government now had to deal. And here he would again quote a Judge of Assize. Mr. Justice Johnson, on March 4, 1887, said—

“It is quite idle for us to shut our eyes and say there is peace where there is no peace while these things are going on throughout the country. In these nine cases no single person has been made amenable. . . . This state of things is disorder of the worst possible character. I hope it is not sympathy. I believe it is vastly

more terror than sympathy, for people whose peaceful homes are invaded in the darkness of the night are probably greatly apprehensive that the next visit may not leave them as it left them before. It is my duty to remark this, not to point out any remedy. I can only say that the lawless state of the county shows no improvement.”

That was about the time when that politician, Sir G. Trevelyan, who, however able he might be, had not shown he possessed the gift either of consistency or perspicuity, enunciated the idea that the game of law and order was up in Ireland. All he could say was—Thank God they had Mr. Arthur Balfour and not Sir G. Trevelyan in power! Mr. Balfour lost no time in introducing a Crimes Act, with the result which he had already described. It was perfectly possible, by judging the statistics of crime alone, to know whether a Crimes Act was in force or not, for the simple reason that when it was not crime increased almost with the regularity of a barometer. In 1880 there were 123 cases of agrarian crime in the County of Limerick; in 1881 there were 190. That was the year of Mr. Gladstone's famous Suspects' Act. In the next year—1882—when Mr. Gladstone brought in his famous Crimes Act, they fell to 126. In 1883 there were 54 cases; 1884, 49; in 1885 they rose to 61, for the simple reason that the Crimes Act lapsed; in 1886 they rose to 67. In 1887 Mr. Balfour introduced his Crimes Act, with the result, although it was the latter part of the year, that crimes dropped to 57 cases; in 1888, to 34; in 1889, to 25; in 1890, to 26; in 1891, to 17; while in 1892 they rose to 26. In the first half of that year, when Lord Salisbury's Government was responsible, the number was less than in the latter half. The reason of that was that convictions were obtained in the Crimes Courts in the county. He did not know why the noble Earl (Earl Spencer), who administered the law with so much courage and impartiality, did not now insist on the law being administered in the same spirit which he formerly displayed. In 1887 he found there were 18 convictions; in 1888, 94; in 1889 there were 33; in 1890 they were 7; while in the last two years of the Marquess of Salisbury's administration of English and Irish affairs not a single Crimes Court was held, for there was no necessity for them, and there was, consequently, not a

single conviction. When a Crimes Act was in force in Ireland and administered with firmness and impartiality crime had invariably decreased. Serious crime between 1887 and 1892 was dealt with in the same firm and fearless manner by the Irish Executive taking advantage of the power to change the venue. In Limerick, according to Mr. Morley himself, the total number of cases in which orders for change of venue and special juries were made in that period was 41. These cases, which all proceeded to trial, affected 65 accused persons, of whom 28 were convicted. The noble Lord who represented the Irish Office in that House said that by change of venue you might get special juries, but how would you get better witnesses? There was not a man who had any experience of Ireland who did not know that the evidence given out of the county in which crime was committed was very different from the evidence which would be given in the county, because out of the county the witness was free from surveillance, espionage, and intimidation. The noble Earl opposite (Earl Spencer) knew that most of the crime in Ireland had been stopped because juries in other counties, to which the venue had been changed, were found willing to convict. He would quote various cases in which convictions had thus been obtained. From Clare, in 1890, cases were tried at Sligo, with the result that fair sentences were passed. Timothy Lalor got penal servitude for life for firing at the person; Denis Cooney, James Cooney, Martin Moloney, John Hurst, and Cornelius Howard, convicted of firing at James Donnelan, got 20 years' penal servitude; John Neylan and Thomas Tudhy got two years for moonlighting; and so on. Then with regard to Kerry cases. In his (Lord Londonderry's) Viceroyalty, Kirby and Conmane were found guilty at Wicklow for the murder of Quirke, May 7, 1888; Hayes and Moriarty were convicted at Wicklow of the murder of James Fitzmaurice March 29, 1888; Leaulan, found guilty at Maryborough of the murder of Robinson, the schoolmaster, July 18, 1888; while in Earl Spencer's Viceroyalty Patrick Walsh, tried at Dublin before Mr. Justice Lawson, August 21, 1882, for the murder of Martin Lyden, of Letterfrack, was sentenced to

be hanged August 22; his brother, Michael Walsh, was sentenced in Dublin to be hanged for the murder of Constable Kavanagh at Letterfrack September 29, 1882; and the Lough mask murderers were found guilty of the murder of the Huddys December 13, 1882. He would be glad to know why Mr. Gladstone had gone back from his own words? Mr. Gladstone said on April 8, 1886—

"In the first place, with certain exceptions, for the case of winter juries, it is impossible to depend upon the finding of a jury in a case of agrarian crime according to the facts as they are viewed by the Government, by the Judges, and by the public, I think, at large."

He should be glad to know why, therefore, Mr. Gladstone did not insist upon Mr. Morley reviving change of venue? Since the O'Hagan Jury Act there had never been a conviction in any important agrarian case before a common jury, and, consequently, the repeal of the jury and venue sections of the Crimes Act was a declaration of immunity for that class of crime. He had proved beyond doubt that the condition of the County Limerick was unsatisfactory and lawless at present, and he now asked the Government to give the House some definite idea of what they were going to do. To restore law and order nothing but a revival of the clauses enabling the Government to change the venue of trials could be of any avail. He asked, were they going to allow the present state of things to continue? Mr. Morley said—

"The only steps I propose to take are to continue those I have already taken—namely, to rely on the vigilance of the police, which has been attended by a decline of agrarian crime in two out of three of the counties mentioned."

A more miserable answer was never given by a responsible Minister. He had been told in March that police were going to be drafted into the County Clare. But what was the use of the police in Clare? Since March 2 there had been in Clare six cases of moonlighting, four of firing at the person (including the case of Mr. Blood, which was fresh in their Lordships' recollection), one of intimidation, one of attack on the person, one of maiming cattle, and four of incendiary fires. He would read a telegram dated Ennis, just received, which had been put into his hands—

"About noon to-day Weldon Moloney, solicitor, Dublin, agent to Moloney trustees in this county, was fired at and wounded near Tullas, close to where Perry was shot."

Were the Government going to take no steps to put an end to such a state of things? Mr. Morley said the other day—

"He thought that denouncing in this case pointed an individual out to public disapproval. If it led to overt acts, or if the denunciation was so directed to the individual in question as to intimidate him in the exercise of his legal rights then the Government would interfere."

Well, he would tell them at once of a case in which they ought to interfere. At a meeting held at Coore, West Clare, a few days ago, the following resolution was passed :—

"That we again call on all good and earnest Nationalists to assist us in putting down land-grabbing."

And the newspaper from which the resolution was quoted added—

"Pat Donnellan, of Dunogan, and Pat Mungovan, of Clounlaheen, were censured—the former for intercourse and intimacy with the grabber Sexton, and the latter for his connection with the aiders and abettors of the grabber. Other matters of an important nature were discussed, the consideration of which was adjourned to next meeting, when it is expected the parties concerned will be present.—Michael McMahon, Hon. Sec."

That was published in the newspaper *United Ireland*, 20th May, 1893. As he came into the House a paper was put into his hand, in which it was stated that if a certain grabber persisted he would be denounced by name, and a circular would be sent out calling upon all patriotic Irishmen to have no dealings with him. Another meeting was also held at which a so-called land-grabber was denounced, and that meeting was presided over by Mr. J. Clunes, who had been recently appointed a J.P. for Limerick by Mr. Morley. He wished Mr. Morley joy of his new man. What he wanted to know was this: Was Mr. Morley going to redeem his pledge or not? Was he going to prosecute these people or not? He had a right to demand an answer to that question. There was no use in telling him that, in order to restore peace and order in Limerick, the Government were going to draft in a certain number of policemen. The conduct of Her Majesty's Government would be far more straightforward if they got up and said that they intended to take no steps; that they intended to truckle to the Leaders of the Nationalist Party, in the House of Commons, and that they meant to hand over the loyal inhabitants of

*The Marquess of Londonderry*

Clare, Kerry, and Limerick to the tender mercies of the moonlighters and boycotters, and not go through the farce of pretending to do something when they were doing nothing that could be of any use for protecting either their lives or their property. He addressed himself to the noble Earl opposite (Earl Spencer) more especially, because his Lordship was constantly referred to and quoted in the House as a great authority on Irish matters, and because he knew that nothing would be done in Ireland without the noble Earl's sanction. Still more, he knew that without the noble Earl's approbation the Home Rule Bill could never have been introduced. He called upon the noble Earl to reply, either then or on the following day, to the charges and statements he had made. If Her Majesty's Government were content to remain silent, torpid, apathetic, and indifferent to the misery and crime that prevailed in Limerick; if they refused to avail themselves of the powers they had in their hands and could exercise if they had only the courage to do so for dealing with such a state of things as he had shown to exist, then on them must be the responsibility of every outrage and crime that might yet be perpetrated—on their shoulders must rest the responsibility of the blood of every unfortunate victim who might be assassinated. If they refused, they would undertake a responsibility which no honest man would undertake. He thanked God with all his heart that he could look back to the time when he was in office in Ireland and say—as all his colleagues could say—that no weight of responsibility of so horrible, disastrous, and bloodthirsty a character could ever be laid at their doors.

THE MARQUESS OF SALISBURY: Are we to expect no reply?

THE EARL OF KIMBERLEY: We are waiting to know whether the Debate is to be adjourned.

THE MARQUESS OF SALISBURY: The noble Earl wants to know whether the Debate is to be adjourned. The speech of my noble Friend behind me no doubt requires a great deal of digestion, and time must, I suppose, be taken for that purpose. Besides, I understand that a discussion on the subject is going on in the House of Commons, and I dare say

noble Lords opposite would find it convenient to ascertain before they reply what Mr. Morley has said, so as to avoid any unpleasant discrepancies. Under those circumstances, if noble Lords opposite will not do so, I am prepared to take upon myself the responsibility of moving the Adjournment of the Debate. That would be a convenient arrangement, for I understand there are several Irish Peers who wish to address the House on the question, and I am quite sure that if the reply of the noble Earl opposite is to be measured by the mass of Papers in his hands, it must occupy a considerable time. I move the Adjournment of the Debate, and I suppose that it may have precedence over the Business for to-morrow.

Moved, "That the Debate be now adjourned, and that it have precedence over the Business for to-morrow."—(*The Marquess of Salisbury.*)

THE EARL OF KIMBERLEY: My noble Friend is perfectly ready to give the answer now, and we are certainly not open to the remarks of the noble Marquess. Probably, as other Peers wish to address the House, my noble Friend would like to hear more upon the subject. As to the figments of the noble Marquess, they may be very convenient jokes at the moment, but we know that they have no foundation in fact.

THE MARQUESS OF SALISBURY: I entirely sympathise with the noble Earl, and I think it would be inconvenient that it should become a precedent for one speech to be made and the Debate then adjourned interfering with the business of the next evening. Quite admitting that the practice should not be made a precedent, I think that course would on the present occasion be very convenient.

THE EARL OF KIMBERLEY: I do not think the business for to-morrow will throw any obstacle in the way, and I have no objection to the Adjournment of the Debate.

Motion agreed to.

Debate further adjourned till To-morrow.

#### HIGH SHERIFFS.

The evidence taken before the Select Committee from time to time to be printed

for the use of the Members of this House; but no copies thereof to be delivered, except to Members of the Committee, until further order. (No. 120.)

#### MARKING OF FOREIGN MEAT, &c.

The evidence taken before the Select Committee from time to time to be printed for the use of the Members of this House; but no copies thereof to be delivered, except to Members of the Committee, until further order. (No. 121.)

#### MAGISTRATES (COUNTY OF LANCASTER).

Memorandum respecting: Laid before the House (pursuant to order of the 16th day of May last), and to be printed. (No. 119.)

#### ELECTRIC LIGHTING PROVISIONAL ORDER (No. 5) BILL [H.L.].—(No. 89.)

Read 2<sup>a</sup>, according to Order.

#### ELECTRIC LIGHTING PROVISIONAL ORDER (No. 6) BILL [H.L.].—(No. 90.)

Read 2<sup>a</sup>, according to Order.

#### GAS ORDERS CONFIRMATION (NEWENT, &c.) BILL [H.L.].—(No. 84.)

Read 2<sup>a</sup>, according to Order.

#### GAS ORDERS CONFIRMATION (BROM-YARD, &c.) BILL [H.L.].—(No. 85.)

Read 2<sup>a</sup>, according to Order.

#### ELEMENTARY EDUCATION PROVISIONAL ORDERS CONFIRMATION (CHISWICK, &c.) BILL [H.L.].—(No. 53.)

House in Committee (according to Order): Bill reported without Amendment; Standing Committee negatived; and Bill to be read 3<sup>a</sup> To-morrow.

#### METROPOLITAN COMMONS PROVISIONAL ORDER (BANSTEAD) BILL.—(No. 51.)

House in Committee (according to Order): The Amendments proposed by the Select Committee made: A further Amendment made: The Report of the said Amendments to be received To-morrow.

#### MADRAS AND BOMBAY ARMIES BILL [H.L.].—(No. 66.)

Amendments reported (according to Order), and Bill to be read 3<sup>a</sup> To-morrow.

COUNTY SURVEYORS (IRELAND BILL  
[H.L.].—(No. 86.)

House in Committee (according to Order): Amendments made: Bill re-committed to the Standing Committee; and to be printed as amended. (No. 123.)

House adjourned at twenty minutes past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

## HOUSE OF COMMONS,

*Thursday, 1st June 1893.*

## ORDERS OF THE DAY.

LOCAL GOVERNMENT PROVISIONAL ORDER (POOR LAW) BILL (*by Order*).—(No. 343.)

## SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed,

"That the Bill be now read a second time, and committed to a Select Committee of Five Members, Three to be nominated by the House and Two by the Committee of Selection.

That the Petitions already presented against the Bill, and any Petitions presented by the London County Council against the Bill, three clear days before the meeting of the Committee be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, or Witnesses, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against such Petitions.

That the Committee have power to send for papers, persons, and records.

That Four be the quorum."—(*Mr. Benn.*)

Question put, and agreed to.

## PRIVATE BUSINESS.

WATER PROVISIONAL ORDERS (No. 2)  
BILL (*by Order*).

## INSTRUCTION TO COMMITTEE.

MR. EDWARDS (Radnorshire) said, he had on the Paper a Motion affecting this Water Order, which was included in a Provisional Order dealing with two other Water Bills. His objection to the Provisional Order passing in its present

form was that if the opposition to one of the Water Bills happened to be successful it would involve the loss of all three Bills. It was, therefore, desired that the Llandrindod Bill should be put into a separate Order. The promoters of the Bill had issued a statement against that course being taken; but that statement went into the merits of the Bill itself, which he did not propose to deal with that day, preferring to leave that for a subsequent opportunity, which would arise if his proposal were agreed to.

Motion made, and Question proposed,

"That it be an Instruction to the Committee to divide the Water Provisional Orders (No. 2) Bill into two portions, one comprising the Llandrindod Wells Water Order, the other comprising the Maidenhead Water Order and the Newington Water Order, and to report them separately to the House."—(*Mr. Edwards.*)

SIR MICHAEL HICKS-BEACH (Bristol, W.) expressed his surprise at the absence of the President of the Board of Trade, there being no one present, consequently, to inform the House what course the Department advised should be taken on this proposal.

MR. EDWARDS: I ought, perhaps, to have said that the Board of Trade offer no objection to it.

SIR MICHAEL HICKS-BEACH said, he was anxious to know the exact position of the Board of Trade in reference to it. This Provisional Order contained three Bills. On the Second Reading the hon. Member for Radnorshire (Mr. Edwards) objected to one of the Bills. He was perfectly within his right in doing so; but the President of the Board of Trade very naturally told him that that was not the proper time to object, and that the place to discuss local matters of that kind was before the Select Committee. The Second Reading was passed after a Division by a considerable majority, and the Provisional Order had now been referred to a Select Committee. He did not quite understand what was the object of his hon. Friend in making this Motion. If the Government thought it well that the Provisional Order should be separated, and the Llandrindod Bill dealt with by a Select Committee, he could quite understand that that would be a legitimate course to take. But he understood that what the hon. Member wanted to do was to get the Provisional Order

separated, so that on the Third Reading he might maintain his objection to the Llandrindod Bill. That, he submitted, was not a fair, nor was it the customary, way of dealing with these local matters. The hon. Member and his friends ought to have petitioned against the Bill, in order that their objections might be dealt with by the Select Committee. But they had not done so. Now, he wanted a clear understanding as to what the Department responsible for the Bill desired to have done; and, in order to secure that, he would formally move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—  
(*Sir Michael Hicks-Beach.*)

\*THE CHAIRMAN OF COMMITTEES (Mr. MELLOR, York, W.R., Sowerby) said, he thought he could satisfy the right hon. Gentleman. He could quite understand the desire that the Llandrindod Order should be dealt with separately; and if the Motion, which he believed under the circumstances to be a reasonable one, were adopted, he proposed, under the Standing Order, to move that the Bill should be sent to a Select Committee as an opposed Bill, in order that the objections might be there investigated. He should not allow it to be taken as an ordinary unopposed Bill, as that would probably be unfair to the persons concerned.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.) explained that the President of the Board of Trade was detained on Public Business; but he was authorised to state that the Government concurred in the course which had been indicated by the Chairman of Ways and Means. Their intention was that the Bill should be duly investigated upstairs, and they would deprecate any such course being followed as the right hon. Baronet seemed to think possible under the Resolution. As one or two hon. Members felt strongly about this Bill, it was desirable that it should go before a Select Committee, which would have power to take evidence upon it.

SIR M. HICKS-BEACH: If that can be done I will ask leave to withdraw my Motion. I understand, however, that no Petitions have been presented against the Bill; and I will ask you, Mr.

Speaker, if under those circumstances the Bill could, as suggested, be sent to a Select Committee?

\*MR. SPEAKER: I have no doubt that the course indicated by the Chairman of Ways and Means is one which can be adopted.

MR. H. H. FOWLER: If the right hon. Baronet has any doubt, I am quite prepared to consent to the Motion for Adjournment in order that he may be satisfied.

SIR M. HICKS-BEACH: I have no wish to delay the Bill. I am quite content with what has been said, and I beg to ask leave to withdraw my Motion.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

Ordered, That it be an Instruction to the Committee to divide the Water Provisional Orders (No. 2) Bill into two portions, one comprising the Llandrindod Wells Water Order, the other comprising the Maidenhead Water Order and the Newington Water Order, and to report them separately to the House.—*Mr. Edwards.*)

## QUESTIONS.

### SPECIAL SERVICE PENSIONS.

COLONEL KENYON - SLANEY (Shropshire, Newport): I beg to ask the Secretary of State for War whether the issue of special service pensions has been suspended; and, if so, why, and when it will be resumed; whether he is aware that over 600 cases have been investigated and prepared; whether, in view of the urgent needs of the applicants, he will take steps to at once resume the issue; whether the issue of such pensions to residents in the Colonies has been prohibited; and, if so, why; and whether he will consider the expediency of issuing a warrant which will cover all such cases, and so save the loss of time and the amount of investigation involved in the present system?

MR. LENG (Dundee): I will, at the same time, ask the right hon. Gentleman whether he can now state what number of special pensions will be granted during the current financial year to the Crimean and Indian Mutiny veterans in infirm health and indigent circumstances?

\*THE SECRETARY OF STATE FOR WAR (Mr. CAMPBELL-BANNERMAN, Stirling, &c.): I am glad to say that we



have been able to add to the sum already available for the special pensions for the Crimea and Indian Mutiny a further amount of £5,000. This will enable the Commissioners of Chelsea Hospital to deal with the more urgent cases among the applications which have been received. I am not disposed to insist upon the exclusion of claims from men resident in the Colonies; but naturally cases at home will have some priority. The pensions being subject to these limits it is not advisable to deal with them by Warrant.

**COLONEL KENYON-SLANEY :** How many additional cases will be dealt with under this extra grant?

**\*MR. CAMPBELL-BANNERMAN :** The £5,000 will provide for 371 pensions; and when all are given it is estimated that 400 cases will remain undealt with. That is including the vacancies under the previous sums.

#### CHAPLAINS IN THE MEDITERRANEAN SQUADRON.

**MR. MAURICE HEALY (Cork) :** I beg to ask the Secretary to the Admiralty how many Protestant Chaplains are attached to the Mediterranean Squadron, how many men they have each under their charge, and what their salaries are; whether it is the case that there is only one Roman Catholic Chaplain attached to the squadron, and that he has about 1,000 men under his charge; what his salary is; whether he lives on shore and only visits the ships occasionally, the men being scattered in different ships, and his work being thus very difficult; what provision there is for the ministrations of the Roman Catholic Chaplain while the ships are cruising; whether the present Chaplain is of Maltese nationality, and whether he is aware that there is a strong desire amongst the sailors for a Chaplain of their own nationality; and whether the Government will consider the advisability of appointing additional Roman Catholic Chaplains of British or Irish nationality?

**THE CIVIL LORD OF THE ADMIRALTY (Mr. E. ROBERTSON, Dundee) :** There are 13 Chaplains on the Mediterranean Station (including Malta Dockyard), whose total salaries amount to £3,084, or an average of £237 a year each. The total complement of the ships

is 8,721, about 80 per cent. (i.e. 6,976) belong to the Church of England. A Roman Catholic Priest at Malta receives £80 a year for ministering to the Roman Catholics of the ships in that port, and also to the prison. He resides on shore, but Malta Harbour presents no difficulty as regards visiting ships. Another Roman Catholic Priest receives £40 a year for ministrations at the Naval Hospital at Malta, and the Roman Catholic Priest at Gibraltar is paid by Capitation Grant. The total number of Roman Catholics in the Mediterranean Squadron is about 750. When ships are in port elsewhere than at Malta, where facilities exist, on Sundays arrangements are made for landing the men to attend Mass. Since the appointment of the present Roman Catholic Priest at Malta, who is a Maltese, the Admiralty have become aware of the existence of a wish among the Roman Catholic officers and men of the Squadron to have a Chaplain of their own nationality, and consideration will be shown to this desire when an opportunity occurs. There is no intention of appointing additional Roman Catholic chaplains in the Mediterranean.

**MR. MAURICE HEALY :** May I ask what the hon. Gentleman means by the words "when opportunity occurs?"

**MR. E. ROBERTSON :** In the case of a vacancy arising.

#### INOCULATION AGAINST ANTHRAX.

**COLONEL LOCKWOOD (Essex, Epping) :** I beg to ask the Under Secretary of State for India whether his attention has been called to a statement, published in *The Pioneer Mail*, of Allahabad, that M. Pasteur has expressed, through the Secretary of State, his willingness to send out one of his experts, with the object of introducing vaccine for the prevention or mitigation of anthrax into India; whether he is aware that Pasteur's vaccine for anthrax has been officially declared, in a Report of the Local Government Board of London, "perfectly ineffective" for the purpose proposed; and whether it is true, as stated in *The Times of India*, that two animals have been "flayed alive" before a public audience in Calcutta; and, if so, whether there are any means of restraining such proceedings in future?

*Mr. Campbell-Bannerman*

\*THE UNDER SECRETARY OF STATE FOR INDIA (Mr. GEORGE RUSSELL, North Beds): Yes, Sir; M. Pasteur's offer to send out a qualified investigator has been accepted by the Government of India. The Secretary of State cannot trace the words quoted by the hon. Member from a Report of the Local Government Board. As to the alleged flaying alive of animals, the Secretary of State has no information, nor has he been able to find a statement quoted in *The Times of India*. The attention of the Government of India was called last Autumn to the desirability of legislating on the lines of the English Act of 1876 for restricting experiments on living animals.

COLONEL LOCKWOOD: Will further inquiry be made with respect to the flaying alive?

MR. GEORGE RUSSELL: Yes, Sir.

SIR H. ROSCOE (Manchester, S.): I wish to ask the Secretary to the Local Government Board a question of which I have given him private notice. It is whether it is not a fact that the Report referred to in the question is 11 years old; that since that time Pasteur's system of inoculation against anthrax has been so much improved that many thousands of animals have been successfully inoculated in France and other countries, with the result that the cattle plague is now rapidly disappearing from places where it had been prevalent for years?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Sir W. FOSTER, Derby, Ilkeston): The Report in question is, I believe, 11 years old. As representing the Local Government Board, I have no official knowledge of the statements made by the hon. Member; but I believe, from personal inquiry, that they are correct.

#### QUACK MEDICINE ADVERTISEMENTS.

MR. BOULNOIS (Marylebone, E.): I beg to ask the President of the Board of Agriculture whether he can take any steps to prevent the face of the country being disfigured by the advertisements of vendors of quack medicines and unguents?

THE PRESIDENT OF THE BOARD OF AGRICULTURE (Mr. H. GARDNER, Essex, Saffron Walden): I share the

views of the hon. Member with regard to the inartistic results of the practice in question; but I have no power to interfere in the matter, and I cannot say that I am surprised that owners and occupiers of agricultural lands should, under existing circumstances, be unable to resist the temptations offered to them by advertisement contractors.

MR. BOULNOIS: If the farmers take to cultivating crops of pictorial and other advertisements, will the right hon. Gentleman consider the desirability of bringing in or supporting a Bill in order that the amenities of rural scenery may be preserved?

MR. H. GARDNER: I am not prepared to admit that the power of the Board of Agriculture extends over the face of the country in that way, nor am I sure that such a duty would properly fall within my province.

#### COLOUR SERGEANT SLEAP.

MR. JAMES ROWLANDS (Finsbury, E.): I beg to ask the Secretary of State for War whether his attention has been called to the case of J. F. Sleaf, late colour sergeant of the 4th V.B. Royal West Surrey Regiment, who was dismissed the corps after 28 years' service; whether he was guilty of any serious infringement of the Volunteer Regulations, or was only absent from the Easter Manœuvres on account of temporary ill-health; whether he is aware that Colonel Haddon has had inserted in the regimental orders that Mr. J. F. Sleaf should be recommended for honorary rank and permitted to retain his uniform, and why was this order cancelled without any explanation being given; and whether he is prepared to grant a Court of Inquiry, so that the whole question may be investigated?

\*MR. CAMPBELL-BANNERMAN: It is the case that Mr. Sleaf was dismissed by his Commanding Officer from the corps in question after having served 28 years in it. The power of dismissal rests absolutely with the Commanding Officer, as is laid down in Section 21 of the Volunteer Act of 1863, the words of which are these—

"The Commanding Officer of a Volunteer corps may discharge from the corps any Volunteer, and strike him out of the muster roll, either for disobedience of orders by him while doing any military duty with his corps, or for neglect of duty, or misconduct by him as a

member of the corps, or for other sufficient cause, the existence and sufficiency of such causes respectively to be judged of by the Commanding Officer."

Colonel Haddon, in the first place, called upon Mr. Sleaf to resign, and intimated his intention to recommend that Mr. Sleaf should have leave to retain his rank and uniform; but, on Mr. Sleaf refusing to resign and incurring dismissal, this recommendation was not made, and the order was withdrawn. This is entirely within the discretion of the Commanding Officer. I should have been glad if Colonel Haddon had seen his way to make this recommendation in the case of a non-commissioned officer of so long service, whose dismissal did not imply any imputation on his character. Courts of Inquiry are only allowed in very special cases. They are not in the nature of a Court of Appeal, but are merely intended to ascertain the full facts of a case; and as, in this instance, there is no doubt as to the facts, no occasion arises for inquiry.

MR. J. ROWLANDS: I thank the right hon. Gentleman for his very explicit answer. But do I understand that the War Office can afford no means of redress to this colour sergeant? Is he aware that the feeling in the corps is so strong that for months it was found impossible to induce anyone to accept promotion in order to fill his place?

MR. CAMPBELL-BANNERMAN: Everything done by the Commanding Officer was perfectly regular and in accordance with the Regulations.

#### SIR GERALD PORTAL'S MISSION.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether his attention has been called to the statement in the Report of the British East Africa Company that the unfortunate position in which it finds itself is due, amongst other things, to the indefinite postponement of the consideration by Parliament of railway construction, to which, assuming the survey to be satisfactory, the previous Government was pledged; and whether there is any record of this pledge in the Foreign Office; if so, whether Her Majesty's present Advisers intend to give effect to it? I wish also to ask a further question, of which I have given private notice—whether any communication has been

received from Sir Gerald Portal confirming the statement published in *The Times* of to-day from its Correspondent in Uganda, that the Soudanese troops have been enlisted in Her Majesty's Service, and that Captain Macdonald has been appointed Resident; also whether the telegram in *The Berliner Tageblatt* is correct in stating that Sir Gerald Portal has hoisted the British flag and proclaimed a British Protectorate over Uganda; and whether it is competent for Sir Gerald Portal to do that, or to take any steps which would involve this country in the assumption of a Protectorate?

\*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir E. GREY, Northumberland, Berwick): No information whatever has been received by the Foreign Office since the arrival of Sir Gerald Portal in Uganda either as to the truth of the statements alluded to by the hon. Member or otherwise. As to the Instructions to Sir Gerald Portal, they are before the House, and hon. Members are as well qualified to pronounce an opinion as to their scope as is the Government. With regard to the question on the Paper, the attention of the Secretary of State has been called to this statement; but there is no record of any such pledge beyond what is contained in the Correspondence between the Foreign Office and the Treasury which has been laid before Parliament in Blue Book Africa No. 2, 1892. In answer to the last line of the question, I have to say that the Report by Captain Macdonald of the survey of the route from Mombasa to the Victoria Nyanza has been received by the Treasury, and was presented to Parliament yesterday. No decision upon it will be taken till Sir Gerald Portal's Report has been received and considered by Parliament.

MR. STOREY (Sunderland): I think the hon. Baronet might have given a more specific answer to that portion of my hon. Friend's question which refers to the competency of Sir Gerald Portal to hoist the British flag in Uganda, or to take any steps which would involve this country in the assumption of a Protectorate. Is it the opinion of the Foreign Office that under his Instructions it is competent for Sir Gerald Portal to do these things?

*Mr. Campbell-Bannerman*

SIR E. GREY: The Instructions given to Sir Gerald Portal gave him considerable latitude, especially in Clause 8; but I should think that the hon. Member can form his own opinion as to the scope of the Instructions. I have only to say that this question of their exact scope was very fully discussed on the Address in the early part of the Session, and it was then stated that any arrangement which Sir Gerald Portal may make will be provisional until his Report has been considered by the Government.

MR. LABOUCHERE: Surely the hon. Baronet can say whether it is the opinion of the Foreign Office that the Instructions given to Sir Gerald Portal allow the hoisting of the British flag and the assumption of a Protectorate?

\*SIR E. GREY: These are the words in the Instructions—

"A Mission to Central Africa cannot, of course, be conducted according to ordinary precedent; the infrequency and difficulty of communication may require a latitude beyond what is usual; and in entrusting to you these important duties Her Majesty's Government reckon with full confidence on your meeting with firmness and caution every occasion that may arise."

In the absence of any news from Sir G. Portal, as to what he has done and why he did it, it is impossible for me to say more as to the scope of those Instructions.

MR. LABOUCHERE: This is a most important question. Do I understand that, in the opinion of the Foreign Office, Sir Gerald Portal's Instructions do allow him to hoist the British flag in Uganda and to assume a Protectorate over that country?

SIR E. GREY: I can say nothing about the opinion of the Foreign Office on the subject until we have heard from Sir Gerald Portal.

MR. LABOUCHERE: I am not asking the hon. Gentleman what will be the decision of the Foreign Office on the point after they have received information from Sir Gerald Portal, but whether his Instructions authorise him to do what he has done?

SIR E. GREY: I have already said that what Sir Gerald Portal does will be provisional until his Report has been considered. What he does must be contingent upon the circumstances and condition of things which he finds in Uganda, and until we know what they are I can say no more.

MR. LABOUCHERE: Are we to understand that under certain conditions Sir Gerald Portal has a right to hoist the British flag in Uganda, and to assume a Protectorate over the country?

[No answer was given.]

#### IRISH INSPECTORS OF WEIGHTS AND MEASURES.

CAPTAIN M'CALMONT (Antrim, E.): I beg to ask the President of the Board of Trade whether the Inspectors of Weights and Measures in Ireland have received any remuneration for their services during the past financial year, in accordance with the Inspector General's Circular of 3rd July, 1891; if not, what is the cause of the delay, when the *ex-officio* Inspectors will be paid, and if the shares will be distributed as in 1892?

THE PRESIDENT OF THE BOARD OF TRADE (Mr. MUNDELLA, Sheffield, Brightside): The *ex-officio* Inspectors of Weights and Measures have not yet, I understand, received their remuneration for the financial year to March 31 last, the reason for the delay being due to the settlement of certain preliminaries. The claims are now being investigated, and the Inspector General expects that payments will be made before the end of the present month.

#### MOONLIGHTING OUTRAGE IN CLARE.

MR. DANE (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the attack on a farmer named John Collins, whose house at Cree North, in the County of Clare, was attacked upon the night of Monday, May 22, by a band of disguised moonlighters, and several shots fired into it, whether shortly previous to this outrage notices had been posted in the district, signed "Captain Moonlight," threatening Collins with death if he persisted in exercising his legal rights against his under tenants; have any arrests been made; and what steps have been taken to render Collins and his family protection?

\*MR. WILLIAM KENNY (Dublin, St. Stephen's Green): At the same time, may I ask the right hon. Gentleman whether he is aware that a threatening notice, signed "Captain Moonlight," had been posted on Collins' door some time before the out-

rage; whether he is also aware that Collins has recently been obliged to take ejection proceedings against his sub-tenants, and had obtained decrees for possession of some small holdings; whether this outrage will appear in the official Returns as an agrarian one; and if any arrests have been made in connection with it?

**THE CHIEF SECRETARY FOR IRELAND** (Mr. J. MORLEY, Newcastle-upon-Tyne): I am informed that it is true that an outrage of the nature indicated took place on the night of May 22, and that about a fortnight previously a threatening notice was received by Collins. No report of this notice was made to the police until after the attack on his house. Collins has taken proceedings against two of his sub-tenants, but has not, so far, obtained decrees. No arrests have yet been made; the police have taken steps for affording adequate protection to Collins and his family. The outrage referred to has been recorded in the official Returns as agrarian.

\***MR. W. KENNY**: Can the right hon. Gentleman say if the place at which this outrage was committed is not 30 miles outside the disturbed area which he recently referred to?

**MR. J. MORLEY**: I cannot answer that without notice.

#### THE CASE OF JOHN CARRON.

**MR. DANE**: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland upon what Report his Excellency acted respecting the Memorial presented to him praying for a remission of the sentence recently imposed upon John Carron by the County Monaghan Justices at Clones Petty Sessions?

**MR. J. MORLEY**: I very much deprecate putting questions of this nature. As stated in reply to a previous question on this subject a Memorial largely signed on behalf of John Carron was submitted to the Lord Lieutenant, who had also received in the usual course a Report from the Magistrates in Petty Sessions which showed that the assault was a wanton one and committed by Carron on a quiet, inoffensive man. In view of all the circumstances of the case the Lord Lieutenant decided that the law must take its course.

*Mr. William Kenny*

**MR. DANE**: May I ask if it is the usual course in Ireland to invite the convicting Magistrates to report?

**MR. T. M. HEALY** (Louth, N.): Has not the right hon. Gentleman himself been condemned several times in this House for not consulting convicting Judges?

**MR. J. MORLEY**: The Lord Lieutenant took the best possible means of getting full information. It is a matter entirely for his discretion.

**MR. DANE**: Did his Excellency consult the Constabulary Authorities?

**MR. J. MORLEY**: Without wishing to be discourteous to the hon. Member, I must respectfully decline to answer further questions of this nature.

#### TITHE COLLECTION IN CARDIGANSHIRE.

**MR. GRIFFITH-BOSCAWEN** (Kent, Tonbridge): I beg to ask the Secretary of State for the Home Department whether he is aware that there are now in Cardiganshire more than 100 orders to be carried out for the collection of tithe, but that it is impossible to carry them out because the Standing Joint Committee and Chief Constable refuse adequate police protection, trusting to the policy of moral suasion, whereby the intended proceedings are made public, and a force of only four men is sent to protect the bailiff; whether he is also aware that this policy was tried in Pembrokeshire and Carmarthenshire, and failed, but that, since the policy of secrecy and of sending a large police force has prevailed, there has been no difficulty in collecting tithe in these two counties; whether he is aware that members of the County Council are present at the proceedings in Cardiganshire, and that, on the 29th of December last, Mr. Morgan Evans, the then Chairman of the County Council and Standing Joint Committee, advised the crowd to do all in its power to prevent the carrying out of the law; and whether he will take steps to compel the Local Authorities to provide adequate police protection, in order that the law may be carried out, and violence prevented?

**MR. BOWEN ROWLANDS** (Cardiganshire): Is it not a fact that distresses have been carried out much more

smoothly and that the peace has been better preserved in Wales since the custom of sending large police escorts has been discontinued?

\*MR. REES - DAVIES (Pembrokeshire): And is it not a fact as regards Pembrokeshire that since the Act of 1891 it has been the custom for a small force of four police-constables, at the most, with occasionally a Superintendent to accompany the bailiffs in these cases, whereas prior to that date large forces were employed without effect? Also, can the right hon. Gentleman say if the failure to collect tithe is due not to the inadequacy of the police escort, but to the opinions entertained by the Welsh people as to the injustice of the impost?

\*MR. SPEAKER: That is entirely out of Order.

MR. S. T. EVANS (Glamorgan, Mid): May I ask whether that portion of the question on the Paper is in Order which says it is impossible to carry out the tithe collections because adequate police protection is refused, and the Standing Joint Committee and Chief Constable "trust to the policy of moral suasion"? Is not that argumentative and controversial?

\*MR. SPEAKER: It may be disputable to say that the Standing Committee trust to moral suasion instead of other forces. I think that part of the question had better be left out.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. ASQUITH, Fife, E.): With respect to the questions put by the hon. Members behind me, and with regard to the second paragraph of the question on the Paper, I have not sufficient information, nor, so far as I know, have I the means of obtaining sufficient to enable me to give a satisfactory answer. I believe it is the fact that a large number of orders for the collection of tithe rent-charge in Cardiganshire have not yet been carried out. I have no reason to believe that the difficulty has been caused by the refusal of the Standing Joint Committee and Chief Constable to give adequate police protection to the bailiff. It is more probably attributable to the fact that the recent Act (as I am advised) does not empower the police to secure entry for a bailiff seeking to levy distress for tithe rent-charge on

persons occupying their own farms. I have no information with regard to the second paragraph of the hon. Member's question. With regard to the third paragraph, I have received a telegram from Mr. Morgan Evans denying the truth of the statement there made, and vouching the Chief Constable in support of his denial. I have on more than one occasion impressed upon the Chief Constable the necessity of giving adequate police protection to the bailiff, and I have no reason to think that the Chief Constable does not fully recognise his duty in this respect.

MR. GRIFFITH - BOSCAWEN: Arising out of the answer, may I ask whether, as these difficulties do exist in Cardiganshire and do not exist in Glamorgan and Pembrokeshire, owing to the fact that a different system prevails, he will take steps to secure that the same amount of protection is afforded in Cardiganshire as in the other counties?

MR. ASQUITH: That question involves an assumption and an argument, with neither of which am I prepared to deal.

#### THE TRIPLE ALLIANCE.

MR. LABOUCHERE: I beg to ask the Under Secretary of State for Foreign Affairs whether he will now lay upon the Table of the House any Correspondence that has taken place between Her Majesty's Government and Foreign Powers with respect to the position of this country in regard to the Triple Alliance that was entered into in 1887 between Austria, Germany, and Italy, and particularly in regard to any declarations made to Italy which might have induced her to enter into that alliance; and whether any pledges or assurances were given directly or indirectly by the late Government, in any official Correspondence now in existence, implying that in case of Italy being involved in a war with France, owing to her having joined the Triple Alliance, Italy may expect any interference on the part of this country to save her from the possible consequences of defeat?

\*SIR E. GREY: It would not be in the public interest to publish any Correspondence that may have taken place in previous years with reference to the Triple Alliance. In answer to the second paragraph, I can assure the hon. Member

that no pledge unknown to the House has been given as to the employment of the Naval or Military Forces of the Crown. The actual position of affairs seems to have been very fairly explained by the right hon. Baronet the Member for North-East Manchester in an answer given in the House on June 4, 1891; and there has been no change nor any Correspondence since then.

MR. LABOUCHERE: Then I understand there was a Correspondence, which the hon. Baronet declines to give?

\*SIR E. GREY: I said it would not be in the public interest to publish any Correspondence that may have taken place. That is exactly what was said in previous years by my Predecessor in reply to similar questions.

#### BALLANEOH PUBLIC SCHOOL.

MR. MACFARLANE (Argyll): I beg to ask the Secretary for Scotland why the Scotch Education Department have refused to declare the Ballanoch Public School a centre under Article 21 of the Scotch Code, which would entitle it to a grant of 10s. instead of 4s.; whether Her Majesty's Inspector has passed the school as "good," subject only to some improvements which have been duly executed; and whether he is aware that the school rate in that locality is now abnormally high, being nearly 2s. in the pound?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton): The question of re-organising this school as a centre under Article 21 was brought before the Department in 1888, and the proposal was refused on the ground that the school staff was insufficient. More recently the request was renewed, but it was felt to be inexpedient to re-open the question at a time when the organisation of centres for Secondary Education is under the consideration of the County Committee. The premises have not been reported as good, and Her Majesty's Inspector has stated that no improvement will render them permanently satisfactory. According to the last Return the school rate in the district was 1s. 10d.

#### GREENWICH AGE PENSIONS.

MR. CLOUGH (Portsmouth): I beg to ask the Civil Lord of the Admiralty whether it is the intention of the Govern-

ment to give effect to the second recommendation of the Select Committee of the House of Commons on Greenwich Age Pensions (1892) by legislation during the present Session?

MR. E. ROBERTSON: The question of giving effect to the recommendation is now under the consideration of the Treasury.

#### THE ATTACK ON THE SCOTTISH RIFLES AT ALDERSHOT.

CAPTAIN GRICE - HUTCHINSON (Aston Manor): I beg to ask the Secretary of State for War whether he is aware that the 1st Scottish Rifles bore with perfect forbearance and discipline the two attacks made upon them, their barracks and officers' quarters, by the men of the Cavalry Brigade at Aldershot on 1st and 2nd May; will he explain on what grounds they have been removed from their barracks to others in the North Camp, at a great expense to the married people and officers, while the Cavalry Brigade, the authors of the disturbance, have been brought back to the same quarters they occupied before they organised the attack; and whether, if this is the case, he will see that immediate steps are taken to have the good name of the Scottish Rifles cleared from any stigma of offence which the officers, non-commissioned officers, and men of the battalion feel is laid upon them by reason of this removal?

\*MR. CAMPBELL-BANNERMAN: It is the fact that the Scottish Rifles, in the regrettable outbreak of May 1, bore the attacks made upon them with forbearance and good discipline; and no stigma has been laid upon the regiment by their removal, of the reason for which they are perfectly well aware. That reason is easily explained. It was obviously undesirable after what had occurred that the Cavalry regiments and the Scottish Rifles should remain quartered in immediate proximity to each other. The Cavalry regiments must of course be accommodated in barracks with stabling; when, therefore, they were brought back from being under canvas, these regiments were quartered in the Cavalry Barracks; but each regiment has changed its barrack and occupies a different one from that occupied before, while the Scottish Rifles in the North Camp are entirely separated from them.

*Sir E. Grey*

**CAPTAIN GRICE-HUTCHINSON :** I would ask the right hon. Gentleman whether, considering the fact that this regiment does feel that in the public view it has been disgraced by being removed in this way, he will take any steps to assure this gallant and distinguished regiment that it is not disgraced? Could not something be done in the form of a letter written by the Commander-in-Chief to the Colonel of the Scottish Rifles—to be read on parade—which would remove the stigma, which I assure the right hon. Gentleman is felt deeply?

**MR. CAMPBELL-BANNERMAN :** My information is that the regiment are perfectly well aware that there is no slur upon them. The officer commanding stated that to them before the removal took place.

**MR. MACFARLANE :** If the necessity for the removal of the regiment was due to the attack upon it why not charge the expenses of the removal against the Cavalry Brigade?

**AN HON. MEMBER :** Is it not a fact that the 20th Hussars were sent under canvas as a punishment?

**MR. CAMPBELL-BANNERMAN :** Certainly.

#### OPEN DRAINS IN ARMAGH.

**MR. EDWARD M'HUGH (Armagh, S.) :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland is he aware, as President of the Local Government Board, that certain open drains in Armagh have been allowed to remain a nuisance and a danger to the public health for many years; that the Poor Law Guardians decided that the responsibility lay with the Town Commissioners, whilst the latter threw it back on the Guardians; and that thus this nuisance is permitted to remain close to a large educational institution, causing blood poisoning and similar diseases; and, if so, what steps, if any, will be taken for the prompt abatement of this dangerous nuisance, so that the lives of those in the locality may not be further exposed?

**MR. J. MORLEY :** The Local Government Board have been informed by the Executive Sanitary Officer of the Armagh Union that the existence of the nuisance complained of having been recently brought under the notice of the Rural Sanitary Authority the necessary

steps have been taken to abate the nuisance, and the work of cleaning the drain will be put in hand at once. It appears that the drain has been in good sanitary condition until a recent date.

#### BOYCOTTING IN CORK.

**MR. WILLIAM KENNY :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that two families, named Davidson and Connor, occupants of evicted farms at Ballyclough, County Cork, are the victims of boycotting and intimidation; that the arrival of the children of these men at the local national school is made the signal for all the other children to leave the school and march through the village, singing such songs as "God save Ireland"; that these boycotted children have to be protected by police when going to and returning from school and during some of the school hours; and that the parents of those children have been denounced by the local branches of the Irish National Federation for their occupation of evicted farms; and whether the Government propose to take any steps to put a stop to this system of persecution of little children?

**MR. FLYNN (Cork, N.E.) :** Is the right hon. Gentleman aware of the fact that the parish priest has condemned these acts of violence in unmeasured language?

**MR. J. MORLEY :** I believe that he has. As to the question on the Paper, I understand that the facts are substantially as stated in the question. The efforts of the police have prevented a renewal of these disgraceful disturbances since May 12, since which date it appears that no children except the O'Connors and the Davidsons have attended the school. Prosecutions have been directed against some of the most prominent disturbers of the peace in connection with this disgraceful matter.

#### THE ANGORA TRIALS.

**SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale) :** I beg to ask the Under Secretary of State for Foreign Affairs whether, in reference to the arrest and trial of Pastor Thounaïan and others the British Vice Consul in Angora has sent in the Report he was instructed to make on the subject; whether the Turkish



Authorities have satisfied themselves of Pastor Thoumaian's innocence, and ordered his release; and whether he has yet been released?

SIR E. GREY: I am informed that the trials are in progress, and that M. Thoumaian's examination has not yet come on. The Turkish Authorities, after some consideration, decided that they could not order the release of M. Thoumaian without trial.

#### THE CASE OF HUGH DOHERTY.

MR. T. M. HEALY (Louth, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to a report in *The Derry Journal* of the prosecution of Hugh Doherty at Rathmullen Petty Sessions, County Donegal, before Mr. Orr, R.M., for not having his name on his cart; that Mr. Doherty proved that he had his name thereon in Irish letters, as he spoke and wrote Irish, but that nevertheless the Resident Magistrate imposed a fine of a shilling and costs; and whether, as some time ago a Donegal farmer had his application for a fair rent dismissed because his name, having no English equivalent, was given in the Irish form in the originating notice, the Government will ascertain what is the analogous practice in Wales and the Highlands, and instruct the police not to bring prosecutions such as that brought against Mr. Doherty, and remit the fine and costs?

MR. J. MORLEY: I am informed that Hugh Doherty was summoned to Rathmullen Petty Sessions on the 5th May for using his cart on the public road without having his name and residence printed thereon. The case was proved in the ordinary way before the Resident Magistrate and two local Justices, and a fine of one shilling and costs imposed. Doherty did not, I learn, prove he had his name, or any name, on the cart in either English or Irish letters, nor did he produce any evidence to that effect. He appears to have stated in an incoherent manner that his name was on the cart in Irish characters; but the prosecuting constable proved there were no letters of any kind to be seen on the vehicle when found. The Irish Land Commission state they have no knowledge of any application to have a fair rent fixed having been dismissed for any such reason

*Sir George Baden-Powell*

as mentioned in the second paragraph of the question.

MR. BARTLEY (Islington, N.): Arising out of the question, may I ask whether, in justice to the Irish nation, the Prime Minister will introduce a clause into the Government of Ireland Bill enacting that the Debates in the Irish Legislative Assembly shall be in Irish? [No answer was given.]

#### HOURS OF RAILWAY SERVANTS.

MR. CHANNING (Northampton, E.): I beg to ask the President of the Board of Trade whether any further Returns as to hours of labour of railway servants exceeding 10 or 12 hours respectively have as yet been ordered for any month since December 1891; and whether, in any future Return, the form of the Returns will be modified so as to afford clearer information as to the more serious cases of overwork?

MR. MUNDELLA: No further Returns have been ordered at present, and I propose to await the passing of the Railway Servants (Hours of Labour) Bill before deciding upon future action. If my hon. Friend will favour me with his suggestions for the amendment of the form of Return they shall be carefully considered.

MR. CHANNING: Before the right hon. Gentleman comes to any decision will he consult practical railway men?

MR. MUNDELLA: Certainly; I shall take the best advice I can get.

#### BLOOD POISONING FROM VACCINATION.

MR. HOPWOOD (Lancashire, S.E., Middleton): I beg to ask the President of the Local Government Board if his attention has been called to an inquest held at Uttoxeter on the 17th of May, concerning the death of Thomas Henry Nash, a child nine weeks old, and the verdict of the jury that death was attributable to pyæmia or blood poisoning from vaccination?

SIR W. FOSTER (who replied): The Local Government Board have applied to the Coroner for a copy of the depositions in the case, and next week I shall be able to answer the question.

MR. HOPWOOD: I will put it down for Tuesday.

## CLASSIFICATION IN THE DOCKYARDS.

MR. KNATCHBULL-HUGESSEN (Kent, Faversham): I beg to ask the Secretary to the Admiralty whether he can now state the decision of the Government with respect to the system of classification in Her Majesty's Dockyards?

MR. E. ROBERTSON: I am not yet in a position to give a definite reply to this question.

MR. KNATCHBULL-HUGESSEN: I must remind the hon. Member that this is the third time I have put the question and got a similar answer. On the last occasion he said a decision would be come to before Whitsuntide. Cannot he say something definite now?

MR. E. ROBERTSON: I cannot say more than that the question is under active consideration at this moment.

MR. KEARLEY (Devonport): When will the hon. Gentleman be able to? Is it a question of weeks or of months. Shall we know before the end of the Session?

MR. E. ROBERTSON: I should hope in a very short time.

MR. KEARLEY: Then it is a question of weeks?

MR. SPEAKER: Order, order!

## THE NATIONAL GALLERY.

MR. GIBSON BOWLES (Lynn Regis): I beg to ask the Secretary to the Treasury whether he can state on what grounds the Treasury consented to extend the appointment of Sir F. Burton, the Director of the National Gallery, now aged 76, till next year; and whether, in this case, as well as in the numerous other cases in which the Treasury have sanctioned a departure from the Order in Council of 1890, which lays down the age of retirement as 65, they have duly considered the hardship that is inflicted on the younger men in the Departments involved, through the stoppage of their promotion consequent on the retention above them of officials beyond the limits of the working age laid down by the Order?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham): The object of the provision for compulsory retirement at 65 was to prevent inefficiency in the Public Service owing to age, and not to provide promotion for

younger men. Sir F. Burton is retained because the period of five years for which he was re-appointed has not yet expired.

## PLACEMEN AND PENSIONERS IN THE HOUSE.

MR. GIBSON BOWLES: I beg to ask the Secretary to the Treasury whether he can now state when the Return of Placemen and Pensioners having seats in the House of Lords and House of Commons will be presented to this House?

SIR J. T. HIBBERT: The Returns from one Department are not yet complete, but I hope that the whole will be ready in a few days.

## H.M.S. "PHAETON."

MR. GIBSON BOWLES: I beg to ask the Secretary to the Admiralty on what ground the relief of H.M.S. *Phaeton*, which has now been in commission in the Mediterranean for over six years, is now a fourth time postponed, and that of the *Undaunted* has been substituted for it?

\*THE SECRETARY TO THE ADMIRALTY (Sir U. KAY-SHUTTLWORTH, Lancashire, Clitheroe): The suggestions in the question are not in accordance with the facts. The *Undaunted* is ordered home before the *Phaeton* because she has been longer in commission.

## THE TUBERCULOSIS COMMISSION.

MR. FIELD (Dublin, St. Patrick's): I beg to ask the President of the Local Government Board whether the Report of the Tuberculosis Commission, which was expected early in May, has yet been issued; whether his Department intend granting compensation to the many owners who have suffered severe financial loss through the confiscation exercised to protect public health; and whether it is the intention of the Government to provide a fund in order to end the present system?

MR. H. H. FOWLER: The Report of the Tuberculosis Commission has not yet been issued, and I must remind the hon. Member that in my reply to his question on March 17 last I stated that I was informed that it was expected that the microscopical investigations which were being made on behalf of the Com-

mission would be completed and the Reports of the three sub-inquirers be in the hands of the Commission before the end of the present month ; that the deliberations of the Commission thereon would follow ; and that their Report would be presented as soon as possible afterwards. The Government are not prepared to make proposals to Parliament until the Report of the Commission is presented.

MR. FIELD : When may the Report be expected ?

MR. H. H. FOWLER : If the Local Government Board were the Commission I should be able to fix it.

MR. W. REDMOND (Clare, E.) : Will the right hon. Gentleman point out to the Commissioners the desirability of reporting as quickly as possible ?

MR. H. H. FOWLER : I have asked the Commissioners over and over again, and their answer is that they will report when they have completed their inquiries.

MR. FIELD : Is there no way in which this Commission can be compelled to do its duty ?

[No answer was given.]

#### THE EXTRA POLICE FORCE IN CORK.

MR. WILLIAM O'BRIEN (Cork) : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he has received a copy of a Resolution passed by the county at large Presentment Sessions for the County of Cork applying for the reduction of the extra police force for that county ; whether he is aware that eight of the nine Magistrates and cesspayers who assented to the Resolution are Unionists, and the Chairman, Mr. Savage French, J.P., is a prominent member of the Cork Landlords' Union, and that the Chairman observed that he did not see the necessity for any extra police at present ; and whether, in view of this Resolution, and of the peaceful condition of the county, steps will be taken for the reduction of the extra police force ?

MR. J. MORLEY : It appears from a local newspaper report that at the Cork Presentment Sessions held on May 27 the Magistrates and ratepayers drew attention to

"the charge for Constabulary for the half-year to March last, with a view to the reduction of the Force at the earliest possible period if the state of the county would permit."

*Mr. H. H. Fowler*

I have no knowledge of the political opinions of the gentlemen who carried the Resolution, though, of course, it is quite possible the hon. Member's surmise in this respect is correct. It is true that the condition of the county is generally satisfactory and peaceful. But, as already stated by me, there is an area which does not bear favourable comparison with the rest of the county ; and the local Constabulary Authorities, taking into consideration the nature of the duty to be performed by the police over so extensive a county as Cork, cannot at present recommend a reduction in the extra force.

#### THE NATIONAL SPORTING CLUB.

MR. A. C. MORTON : I beg to ask the Secretary of State for the Home Department whether his attention has been called to the exhibition of boxing at the National Sporting Club on Monday last ; and whether the police intend to take proceedings against all or any of the persons concerned ?

MR. ASQUITH : The police cautioned the manager of the club and the principals that they would be held answerable for any disorder, or any illegal act, as is always done on such occasions. Nothing occurred to warrant the interference of the police ; there was no disorder, nor, so far as the police are aware, any illegality. If evidence is forthcoming to show that the exhibition was of an illegal character, proceedings will, of course, be taken.

#### FRANCE AND SIAM.

MR. CURZON (Lancashire, Southport) : I beg to ask the Under Secretary of State for Foreign Affairs whether the attention of Her Majesty's Government has been called to the recent action of French troops in occupying Siamese posts upon the Mekong River ; whether they have invited or received any explanation on the matter from the French Government ; whether the French claim to all territory lying upon the left or east bank of the Mekong River is recognised by Her Majesty's Government ; and whether Her Majesty's Government consider these proceedings of the French inimical to the political or commercial independence of Siam ?

\*SIR E. GREY : Her Majesty's Government have received Reports from different quarters with regard to the recent action of the French troops on the Mekong. They have not thought it desirable to address to the French Government any request for explanations on the subject, and the French Government have not as yet offered such explanations. So far as Her Majesty's Government know, the French have not distinctly intimated what territory they claim on the east of the Mekong, and in the present state of the question Her Majesty's Government are not in a position to express an opinion as to the effect which these proceedings may have on the political or commercial independence of Siam.

#### CLERKS IN THE CUSTOMS DEPARTMENT.

SIR FREDERICK DIXON-HARTLAND (Middlesex, Uxbridge) : I beg to ask the Secretary to the Treasury whether the Board of Customs propose to recruit the First Division staff of their Secretary's office by direct appointment from outside the Service ; and whether he will direct that the recommendations of the Ridley Commission in favour of filling First Division vacancies in the Revenue Departments by promotion from the Second Division shall be put into force in the Customs Department ?

SIR J. T. HIBBERT : One Upper Division clerkship has been added to the Secretary's office of the Customs, which it is considered necessary to fill by the appointment of one of the successful competitors at the recent Class I. examination. The action taken does not appear to me to be inconsistent with the recommendations of the Royal Commission on Civil Establishments.

#### WALSALL BLUECOAT SCHOOL.

MR. TALBOT (Oxford University) : I beg to ask the Vice President of the Committee of Council on Education whether he will cause inquiry to be made as to whether the Walsall Bluecoat Schools are practically higher grade schools for the town of Walsall ; and, in the event of this being the case, whether he will re-consider his refusal to sanction the imposition of fees under Section 4 (1) of "The Elementary Education Act, 1891" ?

THE VICE PRESIDENT OF THE COUNCIL (MR. ACLAND, York, W.R., Rotherham) : The school in question is not a higher grade school in any greater degree than many others in which education is completely free. There is no sufficient evidence that it would be for the educational benefit of the district to allow the school to charge fees under the section of the Act named.

\*MR. J. G. TALBOT : Did the right hon. Gentleman get the information that this was not a higher grade school from local sources ?

MR. ACLAND : I inquired carefully into the case. I had all the evidence before me, and I came to a decision on that evidence.

#### PLEURO-PNEUMONIA AT HENDON.

MR. CHAPLIN (Lincolnshire, Sleaford) : I beg to ask the President of the Board of Agriculture whether it is true that there has recently been a serious outbreak of pleuro-pneumonia at Hendon, in the Metropolitan District ; and how long a period has elapsed since the last outbreak of the disease in that district ?

MR. H. GARDNER : Yes ; I regret to say that it is the case that a somewhat serious outbreak of pleuro-pneumonia has been reported from Hendon, 10 animals on a dairy farm there having been found to be affected with the disease. The cattle in contact have been slaughtered, and the usual precautions taken, and we are making careful inquiry with a view to discover the source of infection. No previous case of pleuro-pneumonia has been reported in the Metropolitan Police District since October 1 last.

MR. FIELD : Will the Government take steps to try the efficacy of inoculation against pleuro-pneumonia ?

MR. H. GARDNER : I must have notice of that question.

#### DISEASE AMONG CANADIAN CATTLE.

MR. CHAPLIN : I beg to ask the President of the Board of Agriculture whether he can state the arrangements which have been made by the Board for the examination of the lungs of the Canadian cattle which are landed in Great Britain ?

MR. H. GARDNER : The arrangements made for the examination of the lungs of Canadian cattle landed in Great Britain are embodied in an Order made

by the Board of Agriculture on the 17th ultimo, a copy of which I shall be happy to supply to the right hon. Gentleman. The Order is being carried out by the Inspectors at the various ports where the cattle are landed, with the assistance of a staff of Commissioners specially engaged for the purpose. I may add that the Order was published in the *London Gazette* of the 18th ultimo, and that the usual steps were taken to give publicity to its provisions, in accordance with the undertaking I gave to my hon. Friend the Member for Dundee.

MR. CHAPLIN: Would it be convenient to the right hon. Gentleman to say what has been the result of the inquiry up to the present time? Does it point to the sanitary condition of Canadian cattle, or whether they confirm the continued existence of pleuropneumonia in that country?

MR. H. GARDNER: I must ask for notice of that question.

#### THE INDIAN CURRENCY COMMISSION.

MR. CHAPLIN: I beg to ask the Chancellor of the Exchequer if he can say whether the Report of the Commission on Indian Currency has yet been completed; and if he is now able to name a time within which the Government will be able to lay it upon the Table?

THE CHANCELLOR OF THE EX-CHEQUER (Sir W. HARCOURT, Derby): I understand that the Report of the Commission was signed yesterday. It will be necessary to obtain the opinion of the Indian Government upon it, but no time will be lost, either by the Indian Government or by Her Majesty's Government, in coming to a decision upon that point.

MR. CHAPLIN: I assume that the Report will be laid on the Table before any action is taken in the matter?

SIR W. HARCOURT: I believe so, but I cannot say definitely.

SIR W. HOULDSWORTH (Manchester, N.W.): Is the statement correct in the newspapers that the Report is unanimous?

SIR W. HARCOURT: I cannot answer for any statements in the newspapers.

#### INVERGORDON WATER SUPPLY.

MR. WEIR: I beg to ask the Secretary for Scotland whether his attention has been drawn to the report of a special

meeting of the Invergordon Borough Commissioners, in *The People's Journal* of Saturday, 13th May, at which the Borough Surveyor's Report with regard to the foul water supply was considered, from which it appears that the sewer-drain going through the Nonikiln burying-ground and the sewer-drain of Nonikiln steading and house runs into the water which supplies the town, and that on a recent Sunday the state of the water was such with sheep dip, &c., that many in town were rendered sick, and quite a number lost their dinners, the water being almost thick with filth; whether he is aware that this state of matters has been in existence during a lengthened period; whether the County Medical Officer of Health has made inquiry into the state of affairs; whether he has reported thereon; if so, will the Report be laid upon the Table of the House; and whether immediate steps will be taken to deal with the matter?

SIR G. TREVELYAN: Upon inquiry, I find it to be the case that upon a recent Sunday the water supply of Invergordon was undrinkable through sheep dip having been poured into the source of supply. The water supply of the burgh has apparently been subject to pollution from the causes mentioned by the hon. Member during a lengthened period. The County Authorities are not responsible for the purity of the burgh water supply and no complaint has been received by them until after the Sunday in question; but on receiving complaint the District Sanitary Inspector at once issued notices requiring removal of the nuisance, and, if necessary, prosecutions will follow. The County Medical Officer has twice visited the place and approved of the action taken. The Police Commissioners have intimated to the Board of Supervision that they are about to borrow for the purpose of improving their water supply; and, meanwhile, they have received an assurance from the tenant of Nonikiln that he will do his utmost to prevent the recurrence of the special contamination by sheep dip. It is also understood that the tenant is prepared to divert the drain from his house and with it any matter proceeding from the churchyard. Since the question was on the Paper, I have written to the Board of Supervision on the matter, and have been informed in reply that the Engineer

*Mr. H. Gardner*

employed by the Board to report with a view to the proposed loan has been requested to examine the source of supply and to suggest means for the purification of the water.

#### THE EVICTED TENANTS COMMISSION.

MR. BARTLEY : I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the Government has decided on the action to be taken on the Report of the Evicted Tenants Commission ; and, if so, when he proposes to announce it ?

MR. J. MORLEY : I am not in a position at present to make any statement as to the prospects of legislation in connection with this question ; but the Government do not lose sight, and are not likely to lose sight, of a question so important.

#### MEMORIAL FROM CUSTOMS CLERKS.

SIR EDWARD CLARKE (Plymouth) : I beg to ask the Secretary to the Treasury whether the Treasury Minute, dated 26th April, 1866, is still in force ; whether he is aware that the Board of Customs have refused to permit the Clerks of the Second Class in the Customs Departments in the Outports to forward to the Lords of the Treasury, according to the terms of that Minute, a Memorial which was submitted to the Board of Customs on the 6th January, 1893 ; and whether he will be prepared to submit such Memorial to the Lords of the Treasury for consideration, and to protect the memorialists in the exercise of their rights secured to them by such Treasury Minute ?

SIR J. T. HIBBERT : The Minute is still in force, and I am in a position to inform my hon. and learned Friend that the Board of Customs have now given permission to the clerks in question to forward their Memorial direct to the Treasury.

#### THE SINKING OF THE "DOGGER."

COMMANDER BETHELL (York, E.R., Holderness) : I beg to ask the President of the Board of Trade if steps have been taken to cause a careful inquiry to be made into the disastrous casualty that occurred to the steam trawler *Dogger*, of Hull, which vessel, while engaged in trawling off the coast of Holland on 24th April last, was run into and sunk,

the crew of nine men being drowned, by the German barque *Thekla*, of Hamburg ?

\*MR. MUNDELLA : The *Doggerbank* is missing with all hands, and her owner alleges that the German barque *Thekla* caused the disaster. I am advised that as the *Thekla* is now on a voyage to Chili with all the witnesses of the alleged collision on board no evidence is for the time available, and any formal investigation in this country would be useless at present. But I am strongly of opinion that the fullest information as regards the cause of the loss of the *Doggerbank* should be obtained, and I have taken every means to obtain such information, and have communicated with the Foreign Office and asked that the matter may be brought under the notice of the German Government without delay.

COMMANDER BETHELL : Will the Government take further steps to secure this information ?

MR. MUNDELLA : I have already communicated with the Foreign Office with that object.

#### BOYS' TRAINING SHIPS FOR IRELAND.

MR. FIELD : I beg to ask the Secretary to the Admiralty whether the Government intends to send a training ship to Cork Harbour, as it was formerly used as a suitable place, and would be beneficial to a number of boys and the neighbourhood generally ?

MR. ARNOLD-FORSTER (Belfast, W.) : I beg to ask the right hon. Gentleman whether the Admiralty will accede to the requests made to them by the Corporation of the City of Belfast, the Harbour Commissioners of Belfast, and the Chamber of Commerce of Belfast, to place a training ship for the Royal Navy in Belfast Lough ; and whether, in view of the fact that Belfast is by far the largest port in Ireland, that a suitable berth for a training ship has been offered by the Harbour Commissioners, and that a ship in Belfast Lough will conveniently serve both Irish and Scottish candidates for the Navy, their Lordships will give a favourable consideration to the request made, in the event of their not having already decided to accede to it ?

CAPTAIN DONELAN (Cork, E.) : I have to ask the right hon. Gentleman whether he is aware that a strong public feeling exists in the South of Ireland in

favour of the establishment of a training ship in Cork Harbour; is he also aware that a large number of lads annually join the Navy from the South and West of Ireland, even though compelled to make their way to English ports for that purpose; and whether, under these circumstances, and also in view of the fact that Queenstown is the headquarters of the Royal Navy in Ireland, the Admiralty will consider the advisability, in the interest of the Service, of complying with the desire which has been so unanimously expressed on this subject?

MR. FLYNN: At the same time, I will ask the Secretary to the Admiralty whether his attention has been called to the resolution passed by the Cork Incorporated Chamber of Commerce and Shipping in favour of establishing a training ship in Cork Harbour; and what action the Naval Authorities intend to take in the matter?

\*SIR U. KAY-SHUTTLEWORTH: There is no present intention of increasing the numbers of boys' training ships. Should any need for increase arise, the relative advantages of Cork, Belfast, and other places in the United Kingdom as stations for training ships will be considered.

MR. ARNOLD-FORSTER: Is the right hon. Gentleman aware that there are no training ships in the whole of Ireland, although both England and Scotland possess some?

\*SIR U. KAY-SHUTTLEWORTH: That is so; but, as I have already stated, should there be any occasion for an increase in the number of boys' training ships, the claims of suitable stations in Ireland will be considered.

MR. FLYNN: And will the Admiralty take into consideration questions of economy in selecting the site?

\*SIR U. KAY-SHUTTLEWORTH: Certainly, all such circumstances will be taken into consideration.

\*MR. WEIR: And will the authorities consider the desirability of placing a ship at Stornoway?

[No answer was given.]

#### TORPEDO CONTRACTS.

\*MR. WEIR: I beg to ask the Secretary to the Admiralty whether an order has been given within the last three months to Messrs. Whitworth and Co. for a considerable number of air

vessels for 18-inch torpedoes; and whether private tenders were invited; if so, was the lowest tender accepted; if not, will he explain on what grounds?

THE FINANCIAL SECRETARY TO THE WAR OFFICE (MR. WOODALL, Hanley): An order for forgings for air vessels for 18-inch torpedoes was recently given to Messrs. Whitworth and Co. Tenders were invited in the ordinary way, and that of Messrs. Whitworth was accepted in view of the reliability of the forgings previously supplied by them, and the better rate of delivery offered, although there was a small difference in price between them and another firm.

\*MR. WEIR: Were the tenders invited by public advertisement?

MR. WOODALL: The number of firms capable of supplying these forgings is well known, and invitations were sent to all of them.

MR. FORWOOD (Lancashire, Ormskirk): Is it the custom, when inviting firms to tender, to accept the lowest tender?

MR. WOODALL: Not necessarily.

#### RESPONSIBLE GOVERNMENT IN NATAL.

MR. H. L. LAWSON (Gloucester, Cirencester): I beg to ask the Under Secretary of State for the Colonies whether, under the grant by Order in Council of responsible government to the Colony of Natal, any change will be made in the relations between Natal and Zululand, and what powers the Ministers responsible to the Natal Legislature will have over the Zulus; and whether the Governor of Natal will exercise an independent authority in Native affairs?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (MR. BUXTON, Tower Hamlets, Poplar): My hon. Friend will see from the Natal Papers recently laid before the House of Commons (they were distributed on the 17th), that the Bill which was approved by Her Majesty's late Government, and which has now been passed by the Colonial Legislature, does not affect Zululand, which is a Crown Colony entirely distinct from Natal in its constitution. He will also see from the same Paper that that Bill does not contemplate any change in the present position and powers of the Governor as Supreme Chief of the Natives.

*Captain Donelan*

**FLAGS ON LICENSED PREMISES IN IRELAND.**

**MR. T. M. HEALY :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether, as the 6 and 7 William IV. c. 38, s. 8, uses the words that a publican shall not display any sign, flag, or symbol, colour, decoration, or emblem, whatsoever, "except the known and usual and accustomed sign of such house," he will have a test case from Derry submitted to Petty Sessions, and a case stated thereon to the Superior Courts, with a view to decide whether this section imports that it is lawful to fly a particular flag from licensed houses but forbids others?

**MR. J. MORLEY :** The Government have no power to call on the Magistrates to state a case for the Superior Courts in the event of the decision being in favour of the prosecution. This can only be done by the defendants.

**MR. T. M. HEALY :** It was done in the case of the Lord Mayor of Dublin?

**MR. J. MORLEY :** I am told that it can only be done by the defendant.

**MR. T. M. HEALY :** But under the Coercion Act, when the Lord Mayor of Dublin was acquitted, the hon. Member for Dublin University, who conducted the prosecution on behalf of the Government, demanded a case, although there was an acquittal.

**MR. J. MORLEY :** I will inquire further.

**MR. CARSON (Dublin University) :** As I have been personally referred to, I will ask the right hon. Gentleman if it is not a fact that in all cases the Attorney General has a right to demand that a case shall be stated. It was under the ordinary law that I insisted on that being done in the case referred to by the hon. Member for North Louth.

**MR. J. MORLEY :** I cannot answer a legal question of that kind without consulting the Attorney General of the present Government.

**DUNSHAUGHLIN UNION CONTRACT.**

**MR. W. REDMOND :** I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether the officer who held a sworn inquiry at Dunshaughlin Union into the alleged illegal voting of George Murphy, J.P., and John Wilkinson, J.P., upon a contract in which they

were financially interested, has reported to the Local Government Board; and whether the facts alleged were proved; and, if so, what action the Local Government Board intend to take in the matter?

**MR. J. MORLEY :** The Report of the Inspector who conducted the inquiry referred to has been submitted to the Local Government Board, and it is clear from this Report that the ratepayers of the Union will gain by the acceptance of the tender of the Dunsany Company for the Union meat supply, and that nothing was adduced at the investigation to show that the Guardians who hold shares in the Company do so from any other motive than to keep down the prices of articles consumed in the district. The gentlemen named in the question are shareholders to the amount of £5 and 10s. respectively; and, assuming that the Company paid a dividend of 10 per cent., which has never yet been exceeded, the yearly interest due to Mr. Murphy would be 10s., and to Mr. Wilkinson 1s. It further appears that the Company has been in the habit of declaring a bonus to its customers. The last bonus declared was at the rate of 1s. 6d. in the £1 on the amount purchased by each buyer; and it is evident, therefore, that the ratepayers will gain by the acceptance of the tender. Under all the circumstances, the Local Government Board are of opinion that the present is not a case in which they should initiate proceedings for the statutory penalties, but that it should be left to the trader whose tender was rejected, or to any other ratepayer, to do so.

**PROMOTION AMONG THE EDINBURGH TELEGRAPHISTS.**

**MR. PAUL (Edinburgh, S.) :** I beg to ask the Postmaster General whether his attention has been called to the discontent which prevails among the telegraph clerks in Edinburgh, especially those of the Second Class, with reference to slowness of promotion, uncertainty of prospects, and other causes; and whether he will personally inquire into these grievances with a view to their redress?

**\*THE POSTMASTER GENERAL (Mr. A. MORLEY, Nottingham, E.) :** An application was made in January last by 10 of the telegraphists of the second



class at Edinburgh on the subject referred to by the hon. Member, and a reply was sent to them on the 14th February last. I have already given careful attention to the organisation of the Telegraph Service, and have made known my intention to adhere to the lines settled in 1890. I regret, therefore, that I am not prepared to depart from that decision. I may add that no officer in the Second Class at Edinburgh has yet reached his maximum, and it will take nearly four years before the senior officer will do so. The last telegraphist promoted was getting 32s. a week, and, therefore, was in receipt of 8s. below his maximum when his promotion occurred.

#### TIPPERARY BARRACKS.

MR. FIELD: I beg to ask the Secretary of State for War whether it is the intention of the Government to supply the vacancy now existing in the barracks at Tipperary, which has been empty almost since the removal of the 1st Battalion of the East Surrey to Malta last February; and whether it is intended to have a regiment sent early in June, as the traders are anxious to have the military in the place?

\*MR. CAMPBELL-BANNERMAN: It is proposed to move the 1st Battalion Seaforth Highlanders from Fermoy to Tipperary in the summer. There are three companies of Infantry at Tipperary—namely, one Company of the 1st Battalion Manchester Regiment, and two of the 1st Battalion Seaforth Highlanders.

#### BUTTER RATES AT CORK.

MR. W. REDMOND: I beg to ask the President of the Board of Trade whether he is aware that the Great Southern and Western Railway Company are charging 4d. per firkin more than last year for single firkins sent from Ennis to Cork and intervening stations; and whether he will make any representation to the company on the subject?

MR. MUNDELLA: I have been in communication with the Railway Company, and have received a further letter and two more telegrams on the subject, which I shall be happy to show my hon. Friend. The information, however, is still incomplete.

MR. W. REDMOND: I shall put the question again next week.

*Mr. A. Morley*

#### THE MEDITERRANEAN SQUADRON.

MR. GIBSON BOWLES: I beg to ask the Secretary to the Admiralty whether his attention has been called to the defective state of some of the men-of-war of the Mediterranean Fleet; whether it is a fact that the guns and gun carriages of some of the ships composing that Fleet are in such a condition that with some of their 6-inch guns they can only fire half-charges of 24 lbs.; whether in firing these guns with a reduced charge of 36 lbs. accidents have ensued; and whether it is proposed, and, if so, when, to put these guns and mountings into a condition that will enable them to be fired with their full charge of 48 lbs.?

SIR U. KAY-SHUTTLEWORTH: There is only one ship in the Mediterranean to which the question is applicable in any degree, which is the *Phaeton*, and arrangements were made some time ago to bring her home and replace the guns and mountings with those of new pattern which are ready for her.

#### LAND GRABBING IN IRELAND.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the proceedings of the Sarsfield Branch of the Irish National League, reported in *The Limerick Leader* of May 26, at which a resolution was adopted stating that the Sarsfield Branch of the Irish National League, having warned by resolution all persons connected with the grabbing of Miss Morrison's farm that if they persisted in retaining possession of the same they would be denounced by name and circulars sent throughout the country branches branding them as land grabbers; and that, such persons having disregarded the warnings, nothing remains but to publish the names of the grabbers, which are: "Messrs. Wheatley and Joynt, Starr-Bowkett Society, and Mr. Bate-man, butcher, Roche's Street;" and also to the editorial comment of the same newspaper on the meeting to the effect that if, after repeated protests in a quiet manner, parties refuse to conform to popular opinion, they have only themselves to blame for any consequences that may accrue; and if the Government intend to take any action under

which these intimidatory proceedings may be stopped and their authors punished?

MR. J. MORLEY: My attention has been drawn to the newspaper paragraphs referred to, which are correctly set forth. The local police do not anticipate that these references will have any evil effect on the persons named; but the case will be carefully watched, and any steps which it may be deemed necessary to take in their interest will be promptly taken.

\* THE NORTH SEA LIQUOR TRAFFIC CONVENTION.

SIR GEORGE BADEN-POWELL: I beg to ask the President of the Board of Trade whether, when he informed the House that the French Chamber of Deputies rejected the Bill for carrying out the North Sea Liquor Traffic Convention of 1887, on the ground of an alleged opposition of Great Britain to French influence in Egypt, he was aware of the date of the alleged opposition; and whether he can state in what year or years the alleged opposition took place?

MR. MUNDELLA: I was, of course, perfectly aware that the allusion to English opposition to French influence in Egypt made in the Report of the Commission of the French Chamber of Deputies was introduced by a reference to occurrences in the time of King Louis Philippe; but I do not think that any useful purpose would be served by examining into the allegation.

THE APPROACHING ROYAL MARRIAGE.

COLONEL HOWARD VINCENT (Sheffield, Central): I beg to ask the First Commissioner of Works if, having regard to the general desire of Her Majesty's loyal subjects to give expression by personal presence to the national satisfaction in the approaching marriage of His Royal Highness the Duke of York with Her Serene Highness the Princess Victoria May of Teck, and the necessary limitation of the route to be traversed by the wedding procession, he will consider the desirability of promoting much-needed employment by causing stands to be erected, either by the Office of Works or a lessee, within the railings of the Green Park from Walsingham House to Constitution Hill,

and devote the large sum certain to be realised by the sale of places to the Samaritan Funds of St. George's and Westminster Hospitals, or other charitable objects?

THE FIRST COMMISSIONER OF WORKS (MR. SHAW LEFEVRE, Bradford, Central): I have considered the suggestion of the hon. Member, and have come to the conclusion that it would not be a legitimate use of the Royal Parks to turn them to account in the manner proposed even for the purpose of making money for charities.

SIR T. BRADY'S PENSION.

MR. DANE: I beg to ask the Secretary to the Treasury what were the terms of the communication made by the Treasury to Sir Thomas Brady relative to his pension upon deprivation of office; and what reply, if any, has been received from him?

SIR J. T. HIBBERT: Such communications are confidential, and I can say no more than that it is the intention of the Treasury to ask Parliament to vote a substantial sum in addition to the full pension for which the Superannuation Acts provide, in consideration of the services rendered by Sir Thomas Brady.

THE SCOTCH MINT.

MR. A. C. MORTON: I beg to ask the Secretary for Scotland whether his attention has been called to the fact that, in accordance with Article 16 of the Treaty of Union between Scotland and England, the Scottish Mint at Edinburgh was to be continued; and if, as the Scottish Mint no longer exists, he can say whether the Government intend to carry out and maintain Article 16 of the aforesaid Treaty?

SIR G. TREVELYAN: The provision in Article 16 of the Treaty of Union for the continuance of the Scottish Mint at Edinburgh was repealed by the Statute Law Revision Act of 1867, and the Article as now in force only provides that the coin shall be of the same standard and value in Scotland and England alike.

METROPOLITAN GAS ACCOUNTS.

MR. J. ROWLANDS: I beg to ask the President of the Board of Trade whether he can state when the accounts

of the Metropolitan Gas Companies for 1892 will be laid upon the Table?

MR. MUNDELLA: The Return to which my hon. Friend refers has been received from the printers to-day, and it shall be laid on the Table at once.

#### SHIPS' SIDE LIGHTS.

SIR GEORGE BADEN-POWELL: I beg to ask the President of the Board of Trade whether he has received a copy of an Opinion of Counsel (Sir Walter Phillimore, Q.C., and Mr. Walton, Q.C.), on the subject of the legal liabilities in connection with the Side Light Regulations issued by the Board of Trade, and pointing out that the Regulation which is new is inconsistent with other Regulations, and would work unfairly to foreign vessels in British Courts; and whether he will now re-consider the whole question, with a view to establishing uniformity in the Regulations?

MR. MUNDELLA: I have received a copy of the Opinion referred to, and I have decided to refer it to the Law Officers of the Crown. On receiving their Report I will consider what further steps may be necessary.

#### LAND PURCHASE IN IRELAND.

MR. BARTLEY: I beg to ask the First Lord of the Treasury whether, pending the consideration of the Financial Clauses of the Government of Ireland Bill, he will undertake that no more money shall be advanced from the Imperial Exchequer to enable Irish tenants to purchase their holdings?

THE FIRST LORD OF THE TREASURY (Mr. W. E. GLADSTONE, Edinburgh, Midlothian): The Government have no power and no intention to interfere with the sale of land in Ireland under the Land Purchase Acts.

#### PRIVATE RAILWAY WAGONS.

MR. BURNIE (Swansea Town): I beg to ask the President of the Board of Trade under what Parliamentary powers the Railway Companies claim the right to force on the traders the new Regulations they have issued with respect to the repairs and renewals of private railway wagons; whether he is also aware that the private owners of wagons look upon the Regulations as impracticable, and if attempted to be enforced likely to cause heavy loss to them as traders with-

out achieving any satisfactory result; and whether he will confer with the Railway Companies on the subject?

MR. POWELL WILLIAMS (Birmingham, S.): Before the right hon. Gentleman answers that question, may I ask whether it is not a fact that the Railway Companies have thousands of wagons of their own which do not comply with these Regulations; and whether, in seeking to enforce the Regulation upon private owners, they are not displaying an undue preference in their own favour? Will he take steps to prevent that injustice?

MR. MUNDELLA: Under Sections 117 and 118 of the Railways Clauses Act, 1845, carriages are to be constructed according to Regulations, and such Regulations are to apply to all carriages running on the railway. Provision is also made for arbitration in the event of dispute between a Company and the owner of a carriage "as to the construction or condition thereof." Last year the Board of Trade drew the attention of the Secretary to the Railway Association to a letter of complaint from the Association of Private Owners of Railway Rolling Stock, and furnished that Association with Sir Henry Oakley's reply. The Board of Trade have no powers bearing on the question.

#### CLERKS OF THE CROWN OR PEACE IN IRELAND.

MR. MACARTNEY (Antrim, S.): I beg to ask the Secretary to the Treasury whether the Departmental Report relative to the allowances to be paid to Clerks of the Crown or Peace in Ireland for the carrying out of the Local Registration of Title Act has yet been received; and, if not, what is the cause of the delay; and have any, and what, steps been taken to expedite the presentation of such Reports by the Treasury Officers in Ireland?

SIR J. T. HIBBERT: I hope to receive the Report next week; but I should explain that the unavoidable delay which has occurred has in no way affected the officers interested, as the allowances will date from 1st April and are not payable till 1st July.

## KILKEE POST OFFICE.

**MR. MAGUIRE** (Clare, W.): I beg to ask the Postmaster General whether, as he is not prepared to place a post office at Doonaha, County Clare, he will consider the feasibility of some arrangement by which the letters of the inhabitants of that place could be conveyed to Kilkee Post Office?

**MR. A. MORLEY**: Arrangements are being made for the letters for Doonaha to be conveyed from Kilkee by mail cart, as desired, and the hours of service will be so fixed as to afford an interval for reply by return of post. It is also intended to place a wall letter box at Doonaha Cross.

## THE IRISH POSTAL SERVICE.

**MR. HORACE PLUNKETT** (Dublin Co., S.): I beg to ask the Postmaster General what number of letters, newspapers, and parcels were received during the years 1890, 1891, and 1892 from Great Britain for distribution in Ireland, and the number received from Ireland during the same period for distribution in Great Britain?

**MR. A. MORLEY**: No detailed records are kept of the number of letters, newspapers, &c., distributed in any given part of the United Kingdom in the manner suggested by the question; and it is not, therefore, possible to give the precise information asked for by the hon. Member. To keep such records would be a very costly and laborious proceeding, and would necessarily involve delay in the transit of correspondence. An estimate can be formed of the number of letters, &c. posted and delivered in Ireland in a year; but this would not give any indication of the destination of the letters or of their place of origin.

## THE TROOPING OF THE COLOURS.

**MR. REES-DAVIES**: I beg to ask the Secretary of State for War what arrangements have been made to enable hon. Members of this House to witness the trooping of the Colours?

**\*MR. CAMPBELL-BANNERMAN**: The ceremony of trooping the Colours in honour of the Queen's Birthday is entirely controlled by the Brigade of Guards. Neither the War Department nor the Military Authorities within that Department have any share in the

management of the arrangements, including the issue of tickets. I am informed that, within the available limits, tickets have been issued to hon. Members of the House applying for them; and I hope that in this way the same facilities will be afforded to hon. Members as on previous occasions.

## THE PROGRESS OF THE HOME RULE BILL.

**MR. MACFARLANE**: I wish to ask the Prime Minister a question of which I have given him private notice. I wish to ask him whether he is aware that there are now 90 Amendments to Clause 3 of the Government of Ireland Bill upon the Paper, and that the Leader of the Opposition has publicly intimated that the chief object of the Amendments is to destroy the Bill; and whether the right hon. Gentleman proposes to take any steps to render this or any other legislation possible?

**MR. W. E. GLADSTONE**: I hesitated for a moment in order to give the right hon. Gentleman opposite an opportunity of explaining.

**MR. A. J. BALFOUR** (Manchester, E.): Perhaps the right hon. Gentleman will allow me now. I understand that the hon. Gentleman has just asserted that I had stated in public that the object of the Amendments was to destroy the Home Rule Bill. That is undoubtedly the fact; but I did not say that the method by which they were to destroy the Bill was by accumulation of numbers. The way in which we trust to destroy the Bill is by bringing propositions before the House which the House will accept, and which the Government will think inconsistent with the further progress of the Bill.

**MR. W. E. GLADSTONE**: I do not propose to answer the right hon. Gentleman, except that I may be permitted to say that I think he is a little sanguine, judging from what has occurred thus far, in his expectation that the House is about to adopt a formidable number of Amendments which will be inconsistent with the progress of the Bill. That does not require prolonged reference from me. In answer to my hon. Friend, I may say that I am not surprised that he feels some disappointment and, perhaps, a little impatience at the slow progress that is being made with the Bill. The answer

I make is this—that although, perhaps, I am a little discouraged in the matter of time, yet, like my hon. Friend, I rely very much upon the good sense and equity of the House and its consciousness of what is due and necessary to its own dignity; and, in these circumstances, it is our desire and intention to proceed with the Bill as we have proceeded with it—that is to say, by doing all we can to shorten discussion by explanation, by conciliation, and by concession, where it may appear to us to be consistent with the objects of the Bill and with the regular and practical consideration of its various provisions.

MR. MACFARLANE: After the explanation of the right hon. Gentleman the Leader of the Opposition, I should like to be allowed to read the exact words he used, taken from *The Times* of May 8. He said that he would vote for everything that would improve the Bill and, above all, everything that would destroy the Bill.

#### THE LATE THOMAS HOLLOWAY'S WILL.

MR. A. C. MORTON: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the will of the late Thomas Holloway, which is said to be an illegal will; whether he is aware that a previous will left a large sum of money for a convalescent home for the poor of London; and whether he will instruct the Public Prosecutor to fully investigate the matter?

MR. ASQUITH: I have no authority to interfere in cases of disputed wills, the validity of which must always be decided by the proper Courts of Law. It is not the duty of the Public Prosecutor to investigate such questions, except upon materials showing a breach of the Criminal Law. If in any case such materials are laid before him he will give them full consideration.

#### STATUTE LAW REVISION.

MR. HOWELL (Bethnal Green, N.E.): I beg to ask the First Lord of the Treasury whether he is aware that the Statute Law Revision Bill has been before the House for a very considerable time, and that the Second Reading of that Bill is still delayed; whether he is aware that the sixth and seventh volumes of the Revised Statutes and the triennial

volume of the Index is delayed in preparation and publication by the delays in the passing of the Statute Law Revision Bill; whether he is aware that for more than 30 years past these Bills have been passed by common consent as non-contentious measures; and whether, in view of the fact that a Committee of both Houses have examined the Bill and passed it, as well as the House of Lords, and that the Bill is drawn in accordance with the Report of the Select Committee which sat last year, he will appeal to hon. Members to pass the Bill without further delay?

MR. W. E. GLADSTONE was understood to say that the Government had no power to secure the passing of the Bill in the face of opposition, although they shared most earnestly the hon. Member's desire that the Bill should become law without further delay.

#### THORNHILL LEES NATIONAL SCHOOL.

MR. OLDROYD (Dewsbury): I beg to ask the Vice President of the Committee of Council on Education whether his attention has been called to the case of a boy, named Sykes, a pupil in the Thornhill Lees Church National School, for whom a free place was claimed by his parents on the re-opening of the school after the Christmas holidays, and who attended without payment of fee until 8th May last; whether he is aware that the boy was then sent back for his fee, and for the arrears from January last, with an intimation that the arrears might be paid by instalments; whether a free place can be claimed in cases where tacit consent has been given for so long a period; and whether the managers of schools are within their legal rights in demanding payment of arrears under such circumstances?

MR. ACLAND: My attention has been called to this case. The Managers of a school which has the right to charge fees are within their legal rights in re-imposing a fee on a scholar who has been for a time admitted without payment, and in refusing to admit him if he does not pay the fee. But it has been decided by the Courts of Law that Managers have no legal claim in any case to payment of arrears of fees, and the Department would consider that the exclusion of a child for non-payment of arrears was a contravention of the

Education Acts. A claim for completely free education may be made on behalf of this as of any other child under the Act of 1891, and the Department would then be bound to secure the provision of a free place for him accordingly.

#### THE MAGAZINE RIFLE.

**MR. WEIR** (Ross and Cromarty) : I beg to ask the Secretary of State for War whether he has, since the 18th May last, ascertained what modifications have been introduced in the bolt and bolt-head, and also in the magazine, carrier or hopper, of the Lee-Netford magazine rifle, Mark I. pattern ; if so, will he state in detail what these modifications are, or produce these parts of the rifle for the inspection of hon. Members of the House who have grave doubts as to the efficiency of Mark I. pattern, which is now in the hands of the troops ?

**MR. WOODALL** : As the hon. Member is aware, the Mark I. rifle was modified in certain details, and all the arms of that improved pattern now in the hands of the troops are known as Mark I. Star. The modifications which resulted in the Mark II. model are chiefly in the bolt, spring, magazine, screws, and bolt-head. They are, however, of a character which it would be difficult to make intelligible in answer to a question in the House of Commons ; but if the hon. Member for Ross and Cromarty, or any other hon. Member desirous of information, will visit the War Office, the construction of the rifle and the various improvements which have been effected in it shall be explained by competent officers.

#### A NEWCASTLE EMLYN ASSAULT CASE.

**MR. GRIFFITH-BOSCAWEN** : I beg to ask the Secretary of State for the Home Department whether his attention has been called to the discharge of the prisoners Griffiths and Thomas, for the attack on Robert Lewis, by the Cardigan-shire Magistrates, at Newcastle Emllyn, before the evidence for the prosecution had been heard, on the ground that beating a man on the head is not "wounding" if the skin is not actually divided ; whether he is aware that neither of the two Magistrates who came to this decision is a lawyer ; whether the Treasury have taken any opinion on the legality of this decision ; and whether

any steps are being taken to bring the offenders to justice ?

**MR. ASQUITH** : I understand that, in this case, the offence charged being wounding with intent to do grievous bodily harm, it was contended for the defence that no actual wounding had been proved by the prosecution. The Bench held that the objection must prevail, and the prisoners were discharged. With regard to the second paragraph, I believe that neither Magistrate is a lawyer—not an uncommon case—but no doubt they had the assistance of their Clerk. With regard to the third and fourth paragraphs, I understand that the matter is now being considered by the Public Prosecutor.

**MR. GRIFFITH-BOSCAWEN** : Is the right hon. Gentleman aware that the clerk to the Magistrates is a well-known Nonconformist whose sympathies are with those opposed to the tithes ?

An hon. MEMBER : And are not the bulk of the Welsh Magistrates members of the Church of England ?

**MR. ASQUITH** : I believe so.

#### ARMY PAY AUDITS.

**MR. LABOUCHERE** : I beg to ask the Secretary of State for War if he would explain why, although the whole of the pay for pensioners issued on 1st October, 1892, was audited by 11th March, 1893, the pay for the Army Reserve issued on the same day was not audited till the middle of May, 1893 ; and whether it would be possible to adopt a plan by which the accounts of one quarter are audited before the issue of pay for the following quarter, in view of the fact that the existing plan causes great inconvenience, and sometimes even loss of money, to officers engaged in the issue of Army Reserve pay ?

**MR. WOODALL** : The difference of the dates of the completion of the audits of these two classes of accounts was due to exceptional circumstances ; the examination now goes on *pari passu*. There would be some difficulty in adopting the plan suggested by the hon. Member, owing to the date at which the accounts are received from the Post Office, by which Department the payments are made ; but inquiry will be made as to whether the rendering of these accounts cannot be expedited.

## M O T I O N.

CRIME IN IRELAND—STATE OF  
COUNTIES CLARE, KERRY, AND  
LIMERICK.

## MOTION FOR ADJOURNMENT.

\*MR. ARNOLD-FORSTER (Belfast, W.): I beg to ask leave to move the Adjournment of the House in order to call attention to a definite matter of urgent public importance—namely, “the unchecked growth of serious crime in Ireland, and especially in the Counties of Clare, Kerry, and Limerick, and the failure of the Irish Executive to take any adequate steps for its abatement.”

MR. T. M. HEALY: On a point of Order, may I ask whether on Tuesday last on the Vote on Account hon. Gentlemen had not then a full opportunity [“No, no!”]—had an opportunity—of which they had given notice before Whitsuntide of raising this question? The notice was given before Whitsuntide that after the Recess, on the Vote on Account, they would draw attention to this question, and that not having been done on the Vote on Account, I wish to ask you, Mr. Speaker, if this can be considered to be a matter of urgent public importance?

\*MR. T. W. RUSSELL: On the point of Order, inasmuch as I had given notice of the Motion to deal with this question on the Vote on Account, perhaps you will allow me to explain that I was unable to do so because of the discussions which came on before the Vote for the Chief Secretary’s Department, and because the Vote was closed.

MR. JOHN MORLEY: As to what the hon. Member has just said, it is true enough; but then progress was reported with the Government of Ireland Bill at 11 o’clock on the night before last expressly with the view to this topic being discussed.

MR. SPEAKER: Of course, as this subject was not discussed it is competent to bring it forward. As to the circumstances stated by the hon. and learned Gentleman, it will be for the House to judge when I ask the House to give leave to bring on the matter.

\*MR. SPEAKER then called on those Members who supported the Motion to rise in their places, and not less than 40 having accordingly risen,

\*MR. ARNOLD-FORSTER, in moving the Motion for the Adjournment of the House, said, he did not feel he owed any apology to the House for introducing the subject, though he owed some apology for the fact that the treatment of the subject had not been put into the hands of someone more competent to deal with it than himself. The only qualifications he could claim were that he knew well that portion of the United Kingdom about which he wished to speak; he was most deeply concerned in its welfare, and he felt very deeply the importance of the matter he should bring before the House. An hon. Member who sat near him took a different view, and in reference to this Motion had stated that he and his friends were bored by the reiteration of these facts regarding the commission of crime and outrage in the South and West of Ireland. But the matter he (Mr. Arnold-Forster) should bring forward was a matter which, in his judgment, constituted the very primary duty of the House of Commons, and was infinitely more important than the dead-alive discussion which was taking place upon the already-defunct Home Rule Bill. It related to the protection of the lives and happiness of Her Majesty’s subjects. These things were very real, and there was a special reason why some hon. Member from Ireland should bring them forward. There were very few districts represented in the House of Commons whose Members would not be ready in a moment to bring forward what he had to bring forward if it related to any district in England, Scotland, or the North of Ireland. If such horrors occurred in any of the districts he had indicated they would find the Members who represented them would be the first to bring them forward in that House; but not on one single occasion had any hon. Member representing any one of the districts concerned in the Motion and which had been steeped with this persecution to which he should have to refer come forward and spoken in that House in the interests of those of Her Majesty’s subjects who were subjected to this detestable persecution. If it were the fact that the Constitutional

Representatives of these persons did not consider it their duty to bring this matter before the House, it was a reasonable, fair, and just thing that some other Member connected with Ireland, who was not immediately responsible for these districts, but who was connected with them by ties and associations and knowledge, should do what he could from time to time to give voice to these dumb persons who were unable, by their Constitutional Representatives, to speak to that House and remind it and the people of Great Britain what was the suffering that was continuously being inflicted upon these unhappy persons. The hon. Member for North Kerry the other night stated that it was not the business of a Member of that House to act as a private detective; and, as far as he (Mr. Arnold-Forster) could understand, he was to take no active or practical part in the diminution or discouragement of crime.

**MR. SEXTON:** That is an addition made by the hon. Member to what I said. I would ask him to be good enough to confine himself to what I stated.

**\*MR. ARNOLD-FORSTER** said, he had given the practical upshot of what he understood the hon. Member to say; and, as a matter of fact, there had been no executive step taken in that House, or—with a few brief exceptions, he could name on the fingers of one hand—out of that House by hon. Members representing these districts to put a stop to the abominations against which he protested. It was not an unknown thing that hon. Members representing constituencies in which there had been serious and prolonged outbursts of crime should think it their duty to go into their own constituencies and use all their influence and talent, and the great position conferred upon them, to abate and put a stop to such occurrences. In the case of the saw-grinding outrages in Sheffield, there was no person more prompt in his endeavours to bring an end to that unhappy state of affairs than the right hon. Gentleman, Mr. Roebuck, who then represented Sheffield. Again, it would be in the recollection of hon. Gentlemen that it had been attempted by hon. Members of that House on a very recent occasion by their own writing, influence, speeches, and presence, to try and allay passion and diminish violence in the constituency

he (Mr. Arnold-Forster) had the honour to represent. The precedent was not, therefore, a new one, and when he said it was part of the duty of an hon. Member to take some share in trying to allay disturbance in a district he represented in that House he was not asking for an extreme or unusual display of vigilance, or the exercise of a duty unknown to that House. In asking that hon. Members who represented those counties should take steps to try and allay disorder there, he was not asking them to do anything unknown in the annals of that House. If hon. Members did not consider it their duty to do so, it became incumbent upon those who were acquainted with the facts to lay them before the House. When right hon. Gentlemen on the Front Government Bench made the great change in their policy with regard to Ireland, some hon. Members hoped that there would be compensation in the shape of a Treaty, like that of Kilmainham, under which hon. Members would undertake, at the instance of the Government, to go down and see that outrages in the South and West of Ireland were controlled and put a stop to. For a time it seemed as though there would be a temporary lull in the commission of outrages in those parts of the country, which would have been some reward, though an altogether inadequate reward, for the action of the Government. There had been a brief cessation of crime, but that cessation had ended. He did not want to put the matter too high or too strongly; but he desired to make it clear to hon. Members who differed from the Party to which he belonged that there was a definite and substantial reason for bringing up this subject again. He would ask those hon. Members to give a friendly ear to the pleadings of those who spoke through him, and to whom the fact that this crime and persecution went on from day to day, and was neither new nor strange, did not make life more tolerable in these counties. Since the last Debate in the House crime had increased, was still increasing, and would, in all probability, continue to increase. A time came when the point of saturation was reached, when crime had done its work, and when the gang who committed it had got what they wanted, and the law of the land was superseded by the law of the gang who



had obtained supremacy in these counties. When that time came the necessity for outrage ceased, and outrage became stationary. He believed they were within measurable distance of that point of saturation when there would be a diminution or cessation of crime for which the Chief Secretary for Ireland would claim the credit. That would mean that thousands of things would occur in these counties which would never get into the Police Returns or come to the cognisance of hon. Members in this House. Men and women would gravely say they could not do this or that because So-and-so, the head of this or that association, would object. He wanted the House to interfere before the point of saturation was reached, to say that they would now take cognisance of the fact that crime was increasing and would seize this opportunity of putting a stop to its increase. The Chief Secretary had, he was sure unwittingly, somewhat misled the House, for he had continued in the present Parliament to make a distinction which was real and definite at one time—namely, the distinction between agrarian and non-agrarian outrages in Ireland. It was formerly said that these agrarian outrages were the result of a definite policy in regard to land in Ireland, and that, therefore, they could not be put in the ordinary category of offences against the law.

THE CHIEF SECRETARY FOR IRELAND (Mr. J. MORLEY, Newcastle-upon-Tyne): I beg the hon. Member's pardon. I said the practice had been to classify outrages in that way. I made no change in the classification, although I agree with the hon. Member that it is not a perfect classification.

\*MR. ARNOLD-FORSTER said, of course, he entirely and absolutely accepted the right hon. Gentleman's explanation. What he desired to make clear was that there was a time when that classification carried weight; but that that time had passed, and nearly all crimes in common had now obtained the protection of the organisation which had formerly protected agrarian crime alone, so that it was at present as impossible to get convictions in the case of non-agrarian crimes as it was previously in the case of agrarian crimes. It was, therefore, his intention to deal with all crime in these particular counties on the same

footing, because he would submit that punishment for all crime whatever was in these counties absolutely dead and unenforceable. There was one distinction as between the *régime* in the past and that of the present, and that was that for the first time, with one brief interval, in the history of the last 20 years, the persons against whom these outrages were committed now felt and believed that they were deserted by the authorities in this country, and that those who were responsible for the administration of the Executive in Ireland were under the control of those persons whom, rightly or wrongly, they identified from their past experience with the authority that had inflicted these outrages upon them. He was far from suggesting that there was any fundamental ground for that belief. What was the justification in the minds of the persons concerned for this belief? A justification did exist, for they saw that in this House the Government depended from day to day for its political existence upon a Party which had been at the bottom of these crimes for years past. This was not a matter in dispute, but a mere common statement in plain English of a plain fact, and when the people in Limerick, Tipperary, and Clare—

MR. SEXTON (Kerry, N.): I rise to Order. I wish to know whether the hon. Gentleman is to be allowed to say that a Party in this House has been at the bottom of these crimes for years past?

\*MR. SPEAKER: If I had put that interpretation on what I heard I would certainly have called the hon. Member to Order. He did not, however, say, "A Party in this House." [*Cries of "He did."*] I would certainly have called the hon. Member to Order if he had said anything of that kind.

MR. LOUGH (Islington, W.): I beg to say that I distinctly heard the hon. Member say, "A Party in this House." [*Cries of "Order!"*]

\*MR. SPEAKER: Order, order! I have ruled on the point of Order.

MR. W. REDMOND: On a point of Order I beg to say most respectfully that I distinctly heard the hon. Member say those words. [*Cries of "Order!"*]

\*MR. SPEAKER: The words that reached my ears were, "A Party that was at the bottom of these crimes." If

the hon. Member had said a Party in this House I should certainly have called him to Order, and the House would have taken a very severe course.

MR. W. REDMOND : Most respectfully, Sir, with reference to what you have stated—namely, that you would have called the hon. Member to Order if he had asserted that any hon. Member of this House was cognisant of crime, I beg to say that the hon. Member has stated that of me in *The Times* newspaper.

\*MR. ARNOLD-FORSTER said, what he intended to convey was an expression of the feeling in the minds of the persecuted people in Ireland who saw that the Chief Secretary was now under the Parliamentary control of hon. Gentlemen opposite. Those hon. Gentlemen were associated in their minds with the organisation which was first the Land League and afterwards the National League; and they remembered the statement of the Prime Minister that crime dogged the footsteps of that Association. Whether the belief of these people were correct or not, it existed; and it was natural that they should feel that there was a sinister bearing in the facts as they saw them. This differentiated the case of these counties before the right hon. Gentleman took office from the case of these counties now. He was sure the Chief Secretary was anxious that there should be a diminution of crime in these counties; but he must be aware that he had not taken those steps which would be most calculated to reassure the persons who felt themselves in danger by his action in the House or out of it. Since the beginning of the Session the attitude of the Chief Secretary had been consistently such as to discourage and dishearten every loyal man in Ireland. There had been many occasions on which this fact had been brought under the notice of the House. The first incident in the Session was the statement by the Chief Secretary that there had been over 700 illegal seizures by the officers of the law in Ireland. If that statement had been proved it would have set the whole country-side on fire, and it would have made the administration of the law in the affected counties absolutely impossible. The Chief Secretary made the statement on his official responsibility, but it turned out to be a mere cock-and-

bull story. From beginning to end it had never been substantiated; but it did its work. It discouraged everyone who thought that the law had been justly and adequately administered by the right hon. Gentleman. There was, next, the case of the unhappy man Mr. Blood, who had committed no crime against God or man, but who had simply done what was not only his right, but his duty. He had refused to harbour in a house belonging to him a man whom he and the bulk of the community regarded as an assassin. He said to the father of the man that if he continued to allow his son to live with him he should no longer continue the bounty which he gave him. What was the answer of the Chief Secretary in that case? Everybody knew the odium which had been most unjustly attached to the carrying out of the process of eviction in Ireland; and when the Chief Secretary was asked what was the cause of Mr. Blood's persecution, he said it was because Blood had taken part in an eviction. There was nothing like an eviction in the case, and there was no justification for that cruel thrust. There was another example, on which a series of questions had been asked in the House. To all the questions one stereotyped answer had been given—"The facts as stated in the question are correct." When the House realised what that answer meant they would realise his feeling in the matter. The case of Thomas Barry was an example of the *animus* which dictated the answers, and of the way in which the good intentions of the Chief Secretary were conveyed to those who were persecuted in Ireland. Thomas Barry was a Poor Law Guardian. In a speech he denounced two persons for signing a Petition against the Home Rule Bill. The Chief Secretary was asked whether this was the fact, and whether, in his opinion, the denunciation did not constitute a threat? The right hon. Gentleman soon found an ally. The hon. Member for Kerry (Mr. Sexton) jumped up to ask whether it was not the fact that the speech in question was made at a meeting for the promotion of a Poor Law Election. Even if that had been the case it did not matter two straws.

MR. SEXTON : As usual, the hon. Member misrepresents the case. [*Cries of "Order!" and "Withdraw!"*]

MR. WILSON NOBLE (Hastings) : I rise to ask whether the hon. Member is in Order in saying that another hon. Member mis-represents the facts "as usual" ?

MR. SPEAKER : I see nothing of which I can take notice.

MR. SEXTON said, that the words he had used on the occasion referred to were that Mr. Barry did what he had a perfect right to do, and that at the public meeting, the two persons in question being candidates for the office of Poor Law Guardian, he stated that they had signed a Petition against the Home Rule Bill, and, therefore, ought not to be trusted by the electors.

\*MR. ARNOLD-FORSTER said, the statement he had just made was absolutely correct, but that whether the meeting were a meeting of the Federation, or a meeting to elect Guardians, his point was unaffected—it did not matter two straws whether the speech was made at a meeting of the Federation or not. The Chief Secretary at once said that he had no doubt that the statement of the hon. Member was correct. The next question he asked was whether, as a matter of fact, the houses of two persons had not been burnt ; and whether these two persons were not those who had been denounced by Thomas Barry ? Then, again, two of the right hon. Gentleman's allies sprang to their feet to ask how the right hon. Gentleman could know anything about it, seeing that no names were mentioned. The right hon. Gentleman, however, knew perfectly well who the men were, and he frankly told the House that he was informed that the persons whose houses were burnt were the persons who had been denounced by Barry for signing a Petition against the Home Rule Bill

MR. J. MORLEY : How was I informed ?

MR. ARNOLD-FORSTER said, he did not know who the right hon. Gentleman's informant was ; but the information was precisely the same as his own ; and he did not doubt one informant more than the other. Then he asked the right hon. Gentleman whether, pending the proceedings taken to reimburse the two men for the loss of their burnt premises, Barry was not going about and telling the people of the district to resist inch by inch and to the end the claim for com-

pensation which was to be brought before a competent tribunal ?

MR. SEXTON : And why not ?

\*MR. ARNOLD-FORSTER said, the right hon. Gentleman replied that he could not answer the question because the matter was *sub judice*. His point was that the defending party was making use of public meetings to compel the competent Court to withhold compensation from the injured persons. There was one more question asked—whether it was not the fact that Thomas Barry had been previously convicted ? The right hon. Gentleman would not answer. He said it was hard to go back upon the bad, unhappy past of this man, if there had been a bad, unhappy past. He then asked whether it was not the fact that one of the convictions of Barry in the past had been for precisely the same offence of boycotting ? The right hon. Gentleman could not deny it. If the right hon. Gentleman felt bound to answer questions in this way, and to give the cover of his protection to the persons who were concerned in these outrages, then he must not be surprised if the victims lost the full value of the protection which he was certain the right hon. Gentleman was anxious to give them. He believed that the right hon. Gentleman hated crime ; but the Parliamentary position in which he found himself was a very difficult one. It would be said by some hon. Members that he had no right to bring forward this question unless he was able to show that there had been a serious increase of outrage since the time when the House last considered the matter. He could positively prove that that was the case. The last Debate in the House on the subject was in March. He had details, unfortunately most incomplete, of the occurrences which had taken place since that date. Many cases were not reported, either through the newspapers or through the police. In Clare alone there had been no less than 17 serious outrages committed since March 2. And to that catalogue he had to add another case that had occurred since the matter was brought before the House. These were not matters which could be regarded lightly, and, for his own part, he had never looked upon threatening letters lightly. Not every threatening letter was followed by crime, but there were very few crimes which were not

preceded by threatening letters. The class of crime in County Clare to which he referred included the shooting at men at night, the burning of hay, the burning of houses, firing into houses, attacks on houses by moonlighters, and horse-stabbing—and that reminded them of a very melancholy case in regard to which they had had a very unsatisfactory answer from the Chief Secretary—a case in which a woman's husband was brutally murdered in County Clare. A horse was stabbed, and the right hon. Gentleman stated that it was because this unhappy lady had dismissed a man in her employ. But the real reason was that her husband had been murdered, and for that reason alone she was persecuted. He now came to Kerry, and the catalogue was very black and serious there. It included two tons of hay burnt, a moonlighting attack on a farmhouse, a horse poisoned, a house fired into in daylight, a cow killed, damage done to farm railings, a moonlighting attack, a heifer killed, a cow killed, a bullock killed, a cow killed, a moonlighting attack on a house by masked men, two large hayricks burnt, a house fired into at night, one bullet lodging in the wall near the place where two women were sleeping. He now came to Limerick, and in some respects the state of the case there was the most serious of all. The list of crimes included the following:—A house burnt down, nine tons of hay burnt, four tons of hay burnt, a house fired into, a house fired into by moonlighters, a house burnt, house attacked, and so on. He did not pretend that this catalogue was exhaustive of the outrages that had been committed during the time referred to, but it was simply a list of such crimes as had reached him. And what he desired to point out was that though there was nothing new in the black catalogue relating to the Counties of Kerry and Clare, the increase of crime in the County of Limerick was new. Clare had always been what might be called an abnormal county; the same statement in a different way could be made in reference to Kerry, but Limerick had for a long time been free from crime; and when he said that between the date when the present Chief Secretary took office and the present time there had been 17 serious cases of moonlighting in this County of Limerick alone against one in the corresponding period of the preceding 12 months, hon. Members

would realise the sort of thing that was in his mind when he brought this matter before them. In the County of Limerick the number of cases of crime had increased during the period he had specified from 1 to 17; in Kerry it had increased from 5 to 12, and in Clare from 10 to 19. Weil, what was it the right hon. Gentleman the Chief Secretary was doing to meet this increase of crime? The right hon. Gentleman had over and over again thrown up his hands, and said—"What can we do? We are doing everything you can suggest." The House had been frequently told that there was no efficacy in the measures adopted by the right hon. Gentleman opposite (Mr. A. J. Balfour) when Secretary for Ireland. He (Mr. Arnold-Forster) denied that statement. The right hon. Gentleman opposite had prepared three efficacious weapons, and of those the present Chief Secretary had deliberately deprived himself. He had said—

"I will not use secret inquiries and change of venue and special juries; and the reason," he said, "I will not use them is, not because I am less opposed to crime than you are, but because these instruments have failed in the hands of those who used them before, and because I believe that they would fail if used now and in the future."

He (Mr. Arnold-Forster) contended that these instruments had not failed in the past, and would not fail in the future. Secret inquiry had not failed. In the County of Kerry, in four cases of murder, the principals had been brought to the gallows, and the participators had been brought to justice and sentenced to periods of imprisonment by means of secret inquiry. He admitted that in the County of Clare it had not resulted in securing convictions, but it had produced an effect quite as important. The Chief Secretary ought to have told the House of this result. He could go down to-morrow to the Chief Constables of Ennis or Tralee, who could give him the names of at least 300 men, known to be concerned in crime, who had been compelled to leave their counties because these secret inquiries had been set on foot and were having their effect in making these men known to the police. It was unfortunate that in his comparisons between the past and the present, which he had indulged in *ad nauseam*, the right hon. Gentleman had not given the House

one single allusion to this very cardinal fact in the situation, the result of which was that the crime in those counties came down by leaps and bounds. True it was that crime had oscillated up and down slightly; and it was not fair to compare crime of one year with crime of the preceding year. It was necessary to compare the crime which took place before the measures of the late Chief Secretary were taken with the crime which took place afterwards. It would then be found that those measures had been largely efficacious in freeing the country from crime. In Clare crimes went down from 141 in 1886 to 58 in 1890 and 94 in 1891. In Kerry crimes went down from 209 in 1886 to 56 in 1890 and 68 in 1891. In Limerick crimes went down from 80 in 1886 to 30 in 1890 and 17 in 1891. These were important figures, but he did not mean to say that this result was brought about solely by the power of holding secret inquiries. The other powers contained in the Crimes Act, which were concurrent with it, also had effect. There was, for instance, the power of change of venue. The Chief Secretary passed the matter over, but it had been eminently successful. In Clare alone, in 30 cases affecting 69 persons, 32 persons were convicted. In 44 cases in Kerry, affecting 87 persons, 46 convictions were obtained. In 41 cases in Limerick, affecting 65 persons, 28 convictions were obtained. It could not be said that these people were unfairly tried or that anything but justice was meted out to them; and, therefore, what had been done in the past could be done now and in the future. When the right hon. Gentleman deliberately deprived himself of these instruments, he was, *pro tanto*, contributing to the lawlessness in these three counties. He (Mr. Arnold-Forster) had before him the figures showing the results of the Courts held in these counties, which showed that they had been most successful. In Kerry, in 1887, there were 19 Courts held and 32 convictions obtained; in 1888, 41 Courts and 96 convictions; in 1889, 24 Courts, and 23 convictions; and in 1891, three Courts—all that were required—and four convictions. In Clare, in 1887, there were 19 Courts held and 37 convictions obtained; in 1888, 46 Courts and 134 convictions; in 1889, 10 Courts and 50 convictions;

and in 1891, nine Courts and eight convictions. He was not blind to the fact that a large number of persons who ought to have been convicted were not convicted, and to that extent he (Mr. Arnold-Forster) was prepared for the exposure and censure of the right hon. Gentleman the Chief Secretary. But that was a calamity he deplored as much as the right hon. Gentleman could, and he maintained that, to a large extent, these Courts were successful. In a few days or weeks the Assizes in Clare, Limerick, and Kerry would be coming on. What would be the use of trying prisoners at those Assizes? Everybody knew, and no one better than the right hon. Gentleman the Chief Secretary, that it would be an absolute waste of time to try them there; for two reasons: In the first place, past experience showed that convictions were not likely to be the result of such trials, whether the cases were agrarian or non-agrarian. There was also the additional fact that the persons who were called on to serve on the juries and to act as witnesses in these counties had been continually and deliberately commanded by persons belonging to that Party in Ireland supporting the present Chief Secretary to commit perjury in the jury and witness-boxes. Jurors and witnesses were exposed to terrible outrage, and were threatened for performing their duty according to their oaths. Cases of this kind had been published in the papers, and it was not to be expected that men in these counties, with the slack hand of the Secretary for Ireland affording them no protection, would come forward and take all the risks of doing their duty when they knew very well the fate that would wait upon them as a result. He should be told that all this was the natural outcome of the system that prevailed in the country. But was that the fact? It was not beside the mark to remind hon. Members that this was not the outcome of the system of law under which the Irish people as a whole lived. He found that last year the number of agrarian crimes committed in Clare was 57, in Limerick 56, and in Kerry 61; while in Antrim, including the City of Belfast, it was one, in Down it was five, in Londonderry none, and in Armagh two, although these districts were under exactly the same system of government as the others. The right hon. Gentleman, therefore, could not con-

tend that there was anything in the existing condition of things in Ireland that naturally produced these outbreaks of crime. The right hon. Gentleman had said that he had done all in his power to put down what was practically becoming a reign of terror in those districts, and he had taunted the Members of the late Government with having themselves reduced the police force of County Clare. But at that very time the right hon. Gentleman held in his hands the actual words of the Grand Jury, in which they asked for an increase of the police force of the county. The late Government had filled up many vacancies, and had brought up the police force to within 15 of its former strength. The right hon. Gentleman, however, was perfectly aware that he might increase the police force of the district as much as he pleased, and that any steps he might take in that direction would be utterly ineffectual, unless he supplemented them with further action. He suggested to the right hon. Gentleman that he should take that further action. He asked the right Gentleman whether he would not make use of some of those weapons that still remained in his hand in order to put an end to the deplorable state of things which he himself admitted existed in these districts. The right hon. Gentleman had said that crime was confined to a very small area in Ireland. He ventured very respectfully to differ from the right hon. Gentleman. He had gone over the localities in which these crimes and outrages had been committed, and he had found that, so far from their being confined to one locality or centred round one spot, they were distributed over an area of 40, 50, or 60 miles, and over the length and breadth of the three Counties of Kerry, Limerick, and Clare. Even if the crimes centred round one place, it would be all the more desirable to make some effort to put an end to the plague spot and to crush out the crime of which the right hon. Gentleman acknowledged the existence. He (Mr. Arnold-Forster) acknowledged the difficulties under which the right hon. Gentleman laboured, and he hoped he had not spoken lightly or disrespectfully of the work the right hon. Gentleman had undertaken, but he knew there must be times when the Chief Secretary was as sick of this state of things as anyone else,

and it was to be hoped he would determine that, however bad this state of things had been in the past, it was, at any rate, his duty now to adopt whatever measures were necessary to protect the lives and liberties of Her Majesty's subjects.

Motion made, and Question proposed, "That this House do now adjourn."—*(Mr. Arnold-Forster.)*

MR. J. MORLEY: I do not complain of the action of the hon. Member in calling the attention of the House to the condition of certain parts of Ireland, but I do think that both the House and the Government have a right to take exception to the conduct of the hon. Member in not having availed himself of the opportunity that was offered to him, and deliberately offered to him, for bringing this subject—which is not an unimportant one—forward on Tuesday night. Up to 11 o'clock that night we were engaged in discussing a variety of matters of third-rate importance.

MR. T. W. RUSSELL: Hear, hear!

MR. J. MORLEY: I am glad the hon. Member for South Tyrone assents to that statement. At 11 o'clock that night we adjourned the Debate to enable an hon. Member to bring forward a subject of which he had given notice before the Whitsuntide Recess. There is one other thing I must complain of—namely, that the hon. Member has been guilty of a want of good faith and sincerity in describing these as matters of urgent public interest, when really one-half of his speech was directed to old matters which were discussed and disposed of in the course of the five or six Votes of Censure brought forward against the Irish administration of the Government before the Easter Recess. My defence or reply to the hon. Member will be shorter but not of a less substantial character than the hon. Member's attack. What was the hon. Member's point? It was that, because there has been a change of Government and a change of policy, the moonlighters of Clare and Kerry ought to have at once become the supporters of law and order. The hon. Member says he had hoped that our accession to the Irish Government would have led to a cessation of crime and outrage. He gave a reason for it exactly

opposite to what Members of the late Government gave for expecting a decline of crime in Ireland. Right hon. Gentlemen opposite stated their belief that crime would decrease in Ireland, because those who were in working alliance with the Government now, and who had hitherto taken no part in the repression of crime, would have every motive to restrain the disorder and crime that prevailed. Her Majesty's Government are not at all ashamed to avow that a working alliance has been formed between themselves and hon. Members below the Gangway opposite. But the hon. Member who brought this subject forward said that that alliance is the reason for the prevalence of disorder in Ireland. The hon. Member said that the comparisons which the present Government made *ad nauseam* between the amount of agrarian crime in Ireland that prevailed after their accession to Office and that which existed under the administration of the late Government was unsound, because there were many kinds of non-agrarian crime which might have an agrarian significance. Well, I admit that there are many kinds of non-agrarian crime which are almost as significant of a bad state of social order as the prevalence of agrarian crime. I go with the hon. Member to some extent on that matter. I do not undervalue the figures which show an increase of non-agrarian crime, but the Committee must not lose sight of the fact that it is the figures of agrarian crime which, after all, are of the first order of importance. What are the facts as to these Counties of Clare, Limerick, and Kerry? I should like the House to know that the quantity and volume of agrarian crime in Ireland, which began to decline under the late Government, has continued to decrease under the present Administration. The number of agrarian outrages since I came into the office of Chief Secretary, excluding threatening letters—which have been excluded from all my categories—compared with the number in the corresponding period of 1891-2, shows a decrease of 31, and that decrease has not been attended by any increase in virulence of type, for there has not been a single agrarian murder in the whole of Ireland since the accession of the present Government.

*Mr. J. Morley*

MR. A. J. BALFOUR: What is the comparison between the first six months of this year and the first six months of last year?

MR. J. MORLEY: I have not arranged the figures in that way. I have taken the figures from August 27, 1892, when the present Government came into Office, and have compared them with the figures for the similar period of 1891-2. During the earlier of those periods there was, I believe, one agrarian murder as compared with none in our period. The hon. Member referred to the maiming of cattle in Clare—a peculiarly foul and cowardly form of outrage. What has happened in respect to that? In this class of crime there has been a fall from 38 to 19, showing that these outrages have been only one-half as frequent under the present Administration as they were in the time of the late Government. So much for the general case all over Ireland. I now pass to the particular counties which the hon. Member has referred to. It is quite true that in Clare, Kerry, Limerick, and North Cork there has been an increase in the number of offences, which are unscientifically classified as moonlighting offences.

AN HON. MEMBER: Whiteboy offences.

MR. J. MORLEY: Yes; Whiteboy offences committed at night. I suppose they are called "moonlighting," because when the offences are committed at night that name strikes the imagination more, but I should be glad if the more correct classification were recognised. I feel it would be difficult to get people interested in crime in Ireland to adopt it. There are two plague spots in which these Whiteboy offences have shown that which I trust is but a passing and temporary recrudescence. One of those areas is in Clare, within about 10 miles of Ennis; the other is included in the wild districts of Kerry, Limerick, and North Cork, where night raids have been of recurring prevalence at any time during the last 10 years. But it would be a great mistake to suppose that even in those parts the figures mean a general rise of disorderly spirit. There has, in fact, been a decline of agrarian crime in the Counties of Cork, Kerry, and Clare. We will take the County of Clare. It is

not my fault that I am obliged to go through some of the figures which I have already given upon former occasions. In County Clare, upon which the hon. Member lays most stress, there has been seven years' steady decline in agrarian crime. The figures are 52, 48, 32, 30, 33, 33, and, in our own period, 27; so that the figure is now six below that at which it stood when the late Government thought they were quite safe in removing from County Clare some of the most operative portions of the Crimes Act. The agrarian crime in the County of Clare is now 20 per cent. lower than it has been at any time since 1886. It is true that there has been a rise of non-agrarian crime in that county from 46 in 1891-2 to 64 in 1892-3. That, I admit, is an important fluctuation, but exactly similar fluctuations took place in 1889-90 and the following year, when the number of these crimes in Clare rose from 41 to exactly the figure it is now—namely, 64. The offences which the police authorities with some reluctance have classified as moonlighting rose from 10 in 1891-2 to 20 in 1892-3; but it should be noted that these are local in character, the area being some 10 miles from Ennis, and 18 of the 20 occurred in three places—Corofin, Ennis, and Tulla. There has been a considerable decline in agrarian crime and certain fluctuations in non-agrarian crime in Kerry. In Kerry the cases of agrarian crime had gone down from 22 to 20, whilst cases of non-agrarian crime had increased from 55 to 61. Therefore, putting the two together, there has been a total increase of 4 in the cases of crime. I think that those who are conversant with Irish affairs will agree with me that this is not a very serious change. Moonlighting offences show a rise of from 7 to 13, but they all took place in one district. Agrarian crime in the troublesome County of Kerry has never been so low since 1876. Taking both the East and the West Riding, and combining the agrarian and the non-agrarian cases, the figures are 111 in 1891-2, and 102 in 1892-3. I come now to the County of Limerick, which I admit is, in some parts of it, in a state very far from satisfactory, as there has been an increase under every head. But, after all, except under one head, there has been no cause for anything like great

anxiety. There has been an increase in agrarian offences from 11 to 15, and in non-agrarian offences from 25 to 51, whilst the cases of moonlighting have increased from 1 to 19. Here, again, the increase is confined almost exclusively to a not very large district adjoining the district I have already referred to. But let the House mark this—that, out of these moonlighting cases, 7 occurred in a single week in last April, and since the 23rd of April there has not been a single moonlighting outrage in the county. From the 23rd of April to the 28th of May Limerick, as far as moonlighting goes, shows a completely clean sheet. Does not this show that these rushes of crime are not to be ascribed to the failure of any method of government?

\*MR. ARNOLD-FORSTER said, he thought there had been several cases of moonlighting in the County of Limerick since the date mentioned by the right hon. Gentleman. On the 17th of last month some hay was burnt, and on the same date a horse was attacked by moonlighters, and shots were fired.

MR. J. MORLEY: Our figures are, at least, as much to be relied upon as those of the hon. Member; and, therefore, until the hon. Member can prove his cases, I shall insist that my figures are correct.

MR. ARNOLD-FORSTER: Perhaps I may give my authority. It is *The Limerick Leader*, a paper which, I think, represents hon. Members opposite.

MR. J. MORLEY: I did not know that the hon. Member thought that a paper representing hon. Members opposite was a good authority. At all events, I prefer to rely upon my own figures.

MR. T. M. HEALY: It does not represent us at all.

MR. J. MORLEY: The Return from the 1st to the 27th May in the County of Limerick is a nil Return.

MR. W. REDMOND (Clare, E.): *The Limerick Leader* is as good a paper as *The Freeman's Journal*.

MR. J. MORLEY: Well, there is this extraordinary fact—that you had seven or eight moonlighting cases in the County of Limerick in a week, followed by a complete cessation of that class of offences. Does not that show that this was merely one of those rushes of crime which did occur in Ireland, have occurred



there, and which for some time, whatever form of government you have, are not likely to come to an end? If the House is going to judge the Government by fluctuations in offences, it must realise how these fluctuations have occurred in the past. In 1892, there were 15 moonlighting offences in Limerick in July, in August there were 3, in September 16, in December 14; in January, 1893, there were 3, in February 13, in March 9, and in April 22. Well, the state of things is undoubtedly unsatisfactory in Limerick, and I have admitted on several occasions that in Clare the condition is not satisfactory, whilst in North Kerry it is not what we desire to see it. But when the hon. Member says that all this has been brought about by a change of Government and by a feeling on the part of the people in these counties that they have got a Government in power which does not care whether crime is committed or not, I must point out that there is no foundation for such an assertion. With all due respect to the hon. Member, I cannot but think he knows that the disorganisation, as far as it prevails in Clare, is an old matter, whilst I have shown that in Limerick it is one of those temporary rushes which have occurred before, and which we may hope, under vigorous, firm, and proper measures, will disappear. He says that we cannot resort to firm and vigorous measures, because we have no Crimes Act. Let us look at that point for a moment. The hon. Member read a great number of figures as to the convictions obtained in the Summary Jurisdiction Courts; but he forgot to tell the House that the late Government dropped the clause by which the Summary Jurisdiction Court was constituted. As I pointed out in the former Debate on this subject, when the late Government revoked the Proclamation which placed Clare under that provision of the Crimes Act, they drew the teeth of the Act. At all events, it was the late Government and not us that was responsible for the dropping of that power. Then with regard to change of venue there may be circumstances in which change of venue may secure the doing of justice which otherwise could not be done. We have change of venue in England, and there are provisions in the Irish law for change of venue.

*Mr. J. Morley*

**MR. CARSON** (Dublin University): Not under such conditions as exist at present.

**MR. J. MORLEY**: Well, we will see about that. The object of change of venue is to secure the conviction of the prisoner. Yes; but the weakness of the Government and of the police in the County of Clare is not that they cannot get prisoners convicted; the great difficulty is to get your prisoner. The reason they cannot arrest men is that people are afraid of giving evidence. That is not affected by change of venue applied to a prisoner when you have got him. I quite admit that people will not give evidence because they are afraid of the intimidatory public opinion around them. Before you can send a prisoner for trial you must have him brought before local Magistrates, and committed by such Magistrates after the hearing of evidence. I should like any lawyer to explain how change of venue would decrease this difficulty.

**MR. CARSON**: There were seven prisoners at the last Clare Assizes.

**MR. J. MORLEY**: I will just add this. If I thought a change of venue would have the effect which the hon. Member, contrary to the experience of the last 10 years, says it would have, and would clear Clare and Kerry of these ruffians, does he suppose that because I have said again and again that either change of venue or exceptional legislation is undesirable in Ireland, I should refrain from pressing on my Colleagues in the House the advisability of making a change? Well, as I have said, there are some unsatisfactory conditions in these counties; but there is reason to believe that they are of a temporary and passing character. All the authorities concerned are doing their duty to the full, and I am glad to hear the expression of the hon. Member's opinion that the police are working just as energetically and as faithfully under the present Government as they worked under the Government of the right hon. Gentleman. Every step is being taken in reference to *personnel* and method that experience, judgment, or sense of responsibility can induce us to take, and the hon. Member has shown no justification for the serious step he has thought fit to take in moving the Adjournment of the House.

["**MR. T. W. RUSSELL** (Tyrone, S.) said, he thought he could convince the House that it had not been mis-spending its time that afternoon, for since the Debate commenced he had received a telegram from Ennis which probably the right hon. Gentleman the Chief Secretary had heard nothing about. At all events, the right hon. Gentleman had told the House nothing about it, and had stated that there had been no murder in Clare. The telegram he had received read as follows :—

"About noon, to-day, Weldon Moloney, solicitor, of Dublin, agent to Moloney trustees in this county, was fired at and wounded near Tulla, close to where Perry was shot."

Therefore, if there had been no murder, there had been an attempt to murder that very day, and it was no fault of the criminals that their hands had not been stained with murder. Why had not the right hon. Gentleman stated in his speech what had taken place within seven miles of Ennis that afternoon? The right hon. Gentleman had said that this question ought to have been raised on Report of Supply. Well, hon. Members were prevented from raising the question on the Vote on Account, in the first place, because they were shut out by other Members who had precedence; and, in the second place, because the Debate was closed. With regard to Report of Supply, the hon. Member for Kingstown (Sir R. Temple) had asked the Prime Minister whether he would adjourn the Debate on the Government of Ireland Bill a little before midnight, so as to allow time for a brief discussion on education on the Vote on Account, and the time was occupied with this subject. He was not going over the weary catalogue of crimes further than this. The right hon. Gentleman the Chief Secretary had declared that, from his information, there had been no case of moonlighting or agrarian crime in County Limerick since April 23rd. He would give four cases, with the names of the people and the nature of the outrages, which had occurred in the county since that date, and would ask the right hon. Gentleman to inquire into them. On May 2nd the house of John Walsh was fired into, and on May 17th hay belonging to Mary English was burned and a cowhouse belong to Mary Richard-

son was destroyed, and the house of Owen Hegarty was fired into.

**MR. J. MORLEY** said, he had already explained that the police classified as moonlighting offences only offences that occurred at night. Those which the hon. Member had given occurred in the daytime.

\***MR. T. W. RUSSELL** said, the right hon. Gentleman gave the House the impression that the County of Limerick had been free from crime since the date he named. These crimes were simple ruffianism, and the official classification had no bearing upon the point. Leaving the crime itself, he asked, What had the right hon. Gentleman done since Mr. Justice O'Brien declared that property and life had no protection in the County of Clare? Since he came into Office the right hon. Gentleman had removed the County Inspector, a tried and efficient officer, who had the whole of the strings in his hands. He had removed the Head Constable, a man who knew every rascal in the County of Clare. The right hon. Gentleman had dealt with crime in Clare by removing the police officials who knew all its ramifications and putting in their place men who knew nothing about it—he meant that they had no local knowledge. The right hon. Gentleman had stated that the change of venue was of no use, that the difficulty was to catch the criminal. That was only half the truth. The right hon. Gentleman knew that change of venue had been of great use. He knew that in Kerry three murderers had been tracked down by means of the secret inquiry and convicted by means of a change of venue. There were criminals at the last Assizes in Clare and Limerick, but they were not convicted because the jurors were afraid to do their duty. He would read a few sentences of the teaching that jurors had received in the past—

"We look to the Irish jurors this winter to teach this cowardly, cut-throat Government of ours a lesson never to be forgotten. The Irish jurors can do it, and we dare swear they will. Our Irish jurors are the one barrier that stands between us and absolute and undiluted despotism. What a paradise of tyrants the island would be if it were not for juries. . . . The jury system is on its trial this winter. Every juror that is sworn or challenged is on his trial. Let him show what of manhood he has in him. We are not of those who hide our meanings under metaphors, transparent or opaque. The Govern-

ment means to try a number of innocent men this winter, and it dares hope for a verdict of guilty. The hope is an insult to Irish jurors. Let there be no beating about the bush. We don't want and we won't wait to hear the unintelligible jargon of an indictment, the long, reckless rigmarole of constabulary evidence, the solemn platitudes of prosecuting counsel and prosecuting Judge. We know the whole story by heart, and so does the country. Hurley, Saunders—fortsmen, and Tully have already appeared before the bar of Irish public opinion, and already in every honest Irishman's heart the verdict of 'Not Guilty' has been pronounced. The Judge has no hold on him (the juror); the whole power of the British Constitution has no hold on him. He is responsible only to his own conscience and to his country for his verdict. He tries and is tried, and as he judges others he shall himself be judged."

That language was written in a paper edited by a man who sat on the opposite side of the House at that moment. And if jurors dared to do their duty, and brought in verdicts the justice of which had never been questioned, the panel was published and sent all over Ireland, in order that the jurors should be marked and their businesses destroyed. What right had they to wonder that these poor Clare farmers, with cattle to maim, hay to burn, and houses to be fired into, had not the courage which the Chief Secretary himself had not got? He would ask the right hon. Gentleman this question. The Assizes were coming on. There were men in custody for serious crimes in Clare, Limerick, and Kerry. Was the right hon. Gentleman going through the old farce of sending these people to be tried by Kerry, Clare, and Limerick jurors? If so, he was practically an accessory to these crimes. The Chief Secretary had often said that secret inquiry had failed. He could not take up that position now. A Return had been issued that morning giving the result of every secret inquiry that had taken place under the Act of 1887. It was quite true that in the three cases in which a secret inquiry was held in County Clare it failed, but that did not mean that it produced no good result, because he had it on good authority that contemporaneously with the sitting of those secret inquiries many men of bad character left County Clare and left Ireland. What were the facts as to the operation of the secret inquiry in the Counties of Kerry and Limerick? In the County of Kerry seven inquiries were held, four cases being murder cases, and

in only one did the inquiry fail. In three out of the four murder cases conviction and execution followed the inquiry. What, then, was the use of the right hon. Gentleman's getting up and saying that the power of holding a secret inquiry was a failure? In the only case in which it was put into operation in the County of Limerick it was successful in producing evidence sufficient to bring the criminals to justice. Then there was the question of special jurors. He could quite understand that the right hon. Gentleman had no affection for them. What had been the result of trials by special jurors? In almost every case from Kerry in which the venue was changed and the trial took place before special jurors conviction took place. When the right hon. Gentleman had such powers at command, he had no right to stand up at the Table and say that the Government were doing all that they could to put an end to these crimes. The method of the right hon. Gentleman in dealing with crime was curiously illustrated by an answer he gave that day when he brought under the right hon. Gentleman's notice the case of the Sarsfield Branch of the National League. In that case a man entered into possession of what was called an evicted farm. The National League and the National Federation met in the City of Limerick and passed resolutions denouncing the man by name, by which they declared that unless he gave up the farm and conformed to popular opinion his name would be sent by circular all through the county and the South of Ireland, and a newspaper article declared that if the man did not take that "quiet warning" he must take the consequences. What did that mean? It meant that that man was marked out for popular displeasure, that he was to be ruined in his business. All the right hon. Gentleman said was that he did not think from the information he had that the case was likely to turn out serious, but that the police were keeping an eye on it. If that man was shot, what would be the good of the policeman's eye? Had any body of citizens the right to meet in that public and unabashed way and denounce a man and hold him up to this punishment? If they had not that right, why did the Chief Secretary sit there and allow it to go on? In this part of Ireland life was practically intolerable to a large number

of people. A man went to a fair and quarrelled with some one over the price of some beasts; he was probably shot on his way home. [*Cries of "Oh!"*] Oh! There was nothing more probable. [*Interruption.*] The hon. Member for West Islington had no right to be disorderly.

\*MR. LOUGH: I have no intention of being disorderly. The hon. Member made a statement about the probability of a man, who had disputed about the price of a beast in a fair in Ireland, being shot on his way home. An hon. Member behind me said it was perfectly true, and I turned round and said that it was not true, as I had bought and sold more cattle at fairs in Ireland than the whole of the Members on the Bench on which he was sitting had ever bought or sold there.

\*MR. T. W. RUSSELL: The hon. Member evidently did not find it a very profitable business, because he left Ireland long ago.

\*MR. LOUGH: That statement, like many which come from the same quarter, is perfectly untrue. I have not left Ireland; I spend part of every year in Ireland. I have a house in Ulster, and I question if the hon. Member who has challenged me, and who represents an Ulster constituency, has got as good means of knowing the facts as that gives me.

\*MR. T. W. RUSSELL said, he would resume his argument. He asserted that the state of the counties under discussion was a disgrace to the Government of the country. The Government could, if they chose to exercise the powers they possessed, make an end, in a month, of the present state of things, and every one of these rascals could be hunted out of Ireland, if they were not brought to justice. This was not agrarian crime nor non-agrarian crime. It was sheer ruffianism, and for the Chief Secretary to have any scruple about applying the Crimes Act, or any other Act, to put down that ruffianism was unworthy of an English Minister.

Mr. W. REDMOND (Clare, E) said, he did not propose to stand between the House and the Division, which he supposed must come, for more than a moment, because it appeared to him quite evident that, although the interest of hon. Gentlemen opposite in the condition of those counties might be great, their

interest in postponing the Bill for the better government of Ireland was even greater. [*"Oh!" and cheers.*] He made that statement advisedly, for this reason. The condition of Clare, as could be discovered by a study of the statistics of crime committed in that county, was to-day undoubtedly better than it had been for the last few years of the late Administration. When the late Government were in power, they had no Debate about the condition of Clare, although it was undoubtedly worse than at the present time. However, he would only say a few words, for the reason that he had been referred to in connection with the condition of the county which he represented by the hon. Gentleman who moved the Adjournment. He differed from the hon. Member for West Belfast and those who sat round him. They were opposed to him on the broad political issues of the day. They believed in the present system of governing Ireland, while he had all his life been a strong believer in the necessity of Home Rule. But he asked whether it was not possible for hon. Members representing Ireland, Unionists as well as Nationalists, to discuss the great questions of the day with reference to Ireland without descending so low as to accuse some of them, in so many words, that they were in direct sympathy with crime and outrage in Ireland? He had attacked Unionist Members bitterly for the past 10 years for their political opinions; but he had never charged any one of them with either sympathy with, or the responsibility for, outrages and murder. When outrages had been committed in Ulster, and when these outrages had been denounced by hon. Members from Ulster, he had accepted their denunciations, because he thought it would be a most unworthy thing to charge a fellow-countryman with a thing so base as sympathy with crime. The most irritating circumstance in a matter of this kind was the tone adopted by Unionist Members. The hon. Member who had last spoken referred sneeringly to what was called "the Union of Hearts." He did not know whether or not it was desirable, in the opinion of those hon. Members, that the old feeling of bitterness between Englishmen and Irishmen should cease; but he could assure Englishmen in all parts of the House who

were anxious by Home Rule or some other means to establish a better state of feeling between England and Ireland in the future than had existed in the past, that it could not be brought about by adopting the course of stating, almost in so many words, that a large section of Irishmen were in sympathy, direct or indirect, with outrages which had been condemned by all Parties in the country. If the Irish Members or any of them were responsible, by word or action, in the slightest degree, for any crime committed in Ireland, why had they not been made amenable? Many of them had been imprisoned under the Coercion Act, but not one of them had ever been made amenable to the law, simply because it could not be done, for there were no Members of the House more free from crime and outrage than the Nationalist Members. He was not going to justify any crime which had been committed in his constituency. He had stated repeatedly that these outrages were of an infamous character, and ought to be put down by every person who had the means of doing so, for those crimes were injuring the Irish people, and every man he knew in his constituency agreed with him in the matter. But though they might sneer at the statement, he would repeat that with evictions and notices of evictions outrages increased in Ireland; and he would say, further, that were it not for the Nationalist Representatives who came there year after year and voiced on the floor of the House the grievances of the Irish people, and forced from the Legislature Land Act after Land Act which had brought peace and contentment to the Irish people, there would have been 20 outrages for every one which had unfortunately occurred during the last 10 years in Ireland. He declared that, so far from the Nationalist Members encouraging outrage in Ireland, their actions in the House of Commons had restored the country to a condition of peace and tranquillity greater than it had ever enjoyed for many years. He wished hon. Gentlemen who pinned their faith to the present policy of the Government with regard to Ireland to note the fact that with all the anxiety of Unionist Members to display the condition of Ireland as black as possible, they had only been able to find something to complain of in three counties

out of the whole of Ireland. That proved that the general condition of Ireland was thoroughly satisfactory. With regard to the three counties in question, it should be mentioned that other figures besides figures of crime could be quoted. He found, for instance, that in Clare for the quarter ending March, 1893, no less than 209 notices of eviction had been served under the 7th section of the Land Act of 1887. He did not say that these notices of eviction were a justification for the outrages in Clare, but they were a reason for these outrages; and he would like to know what would be the effect on even the most peaceable county in England or Scotland if the people were served right, left, and centre with these eviction notices as his people had been served in the County of Clare? The fact was that eviction and crime had always gone hand in hand in Ireland, and eviction and crime would continue to go hand in hand in Ireland, and the best way to put down crime in Ireland was by going to the root of the grievance, and put down evictions, for when the Irish counties were as free from evictions as the English counties they would be as free from crime as the English counties. Then, again, Clare was in a 20 per cent. better condition than it was in 1886; and he wished to know how, in face of that statement, it could be said that Clare was in an alarming condition? He would only say, in conclusion, that he was just as much opposed to crime and outrage as the hon. Member for West Belfast; but while he denounced the moonlighter, he would also condemn the landlords who showered eviction notices on the people and levelled their homes. It had been said by the hon. Member for West Belfast that if he only took the trouble he could have brought the malefactors in Clare to justice. That was a most unworthy assertion, and an assertion which he believed the hon. Member would feel in calmer moments that he had no right to make. He knew no more of these outrages and crime than the hon. Member for West Belfast himself. But he knew that the people of Clare had suffered harsh treatment—that they were now threatened with eviction; and he appealed to the Government, when they turned their attention to Clare, not to ignore the fact that the condition of the county was due to the

serving of these notices, which had been so well described as "sentences of death."

MR. CARSON (Dublin University) : I only desire to intervene in the Debate for a few moments in consequence of some matters more or less personal to me introduced by the Chief Secretary. I think the right hon. Gentleman has entirely misapprehended the scope and the nature of this Debate, and I think, also, that he has given no answer whatever to the charges that have been brought forward against the Government by the hon. Member who moved this Motion. The matter in reference to which this Debate is conversant is the increase of agrarian crime that has taken place in these three counties in Ireland since the last discussion upon the subject in March last. The right hon. Gentleman is amply prepared with the statistics of Irish crime in 1892; but he has none to give the House in relation to that crime between March last and the present time, although he has been warned by us in this House, and by the Judges of Assizes in March last that there would be fresh outbursts of crime, unless steps were taken to prevent them in these particular counties. The right hon. Gentleman admits that since the present Government came into Office there has been an increase of moonlighting in Kerry from 10 to 20 cases, in Clare of from 7 to of 15 cases, and in Limerick of from 1 to 17 cases. That is a most alarming condition of affairs to anyone who knows the condition of the country, and the manner in which these crimes extend from one county to another. But the right hon. Gentleman says that, after all, these moonlighting cases have nothing to do with agrarian crime. Then, what kind of crimes are they? The right hon. Gentleman says they are not classed as agrarian crimes. But how is the classification made? The truth is that unless the police are able to obtain information that an outrage committed by moonlighters arose out of an agrarian dispute they return it as being non-agrarian. Therefore these moonlighting outrages may or may not be agrarian cases, as the police have no information on the subject. Indeed, the probability is that nearly all these moonlighting outrages are agrarian crimes, although they are classified as being non-agrarian. In these circum-

stances it cannot be successfully contended that the amount of agrarian crime has been reduced since the present Government came into power. In view of this state of things, surely we have a right to ask the Government what steps they are taking to put an end to moonlighting in Ireland? The right hon. Gentleman says—"We will not take your advice!" We then ask, "What are you doing?" and he is unable to give us any answer. There still stands upon the Statute Book an Act of Parliament giving the Government the power to change the venue of a trial which under the Constitution the right hon. Gentleman is bound to use if the necessity for it arises. The right hon. Gentleman says that a change of venue would be absolutely useless in these cases; but I think that the statistics adduced by the hon. Member for South Tyrone entirely disproves the right hon. Gentleman's assertion. I ask the right hon. Gentleman—and it is a serious question—can he find a single instance of a conviction in a serious agrarian outrage case in a local venue since the passing of Lord O'Hagan's Act in 1872? I assert that since that Act, relating to juries, was unfortunately passed for Ireland, there has not been, in a serious agrarian case, a conviction obtained in a local venue and before an ordinary local jury. What is the remedy against that state of affairs? Does the right hon. Gentleman mean to assert in this House that there is no remedy in the case of agrarian crime? There are in the Cabinet, besides the right hon. Gentleman himself, two right hon. Gentlemen who have been Chief Secretaries for Ireland, one being the right hon. Gentleman the Secretary for War, and the other being the right hon. Gentleman the Secretary for Scotland, and both of them immediately after their return to this country from Ireland stated as the result of their experience that ordinary juries could not be trusted to give just verdicts in cases of agrarian crimes. The right hon. Gentleman the Secretary for War said—and his words are exactly applicable to the present condition of affairs in Ireland—

"The key of the whole question was this: that in many parts of Ireland, for certain classes of offence, especially offences of an agrarian character, they could not trust the ordinary class of jurymen to do their duty partly from ignorance, partly from prejudice, but greatly

owing to the system of terrorism under the National League."

The right hon. Gentleman went on to say—

"They could not be sure, even with the clearest evidence, of being able to obtain a verdict."

And he added—

"The provisions for change of venue and special juries might very well be made the law of the land."

I could quote also in exactly the same terms from speeches by the right hon. Gentleman the Secretary for Scotland. I might even quote from a speech on the subject made by that right hon. Gentleman after the introduction of the Home Rule Bill of 1886. No doubt both of those right hon. Gentlemen have changed their opinions with regard to Home Rule; but their change of opinion cannot change their experiences while they held the high Office of Chief Secretary for Ireland. In addition to this, I might quote the words of the Prime Minister himself. In introducing the Home Rule Bill of 1886, the right hon. Gentleman said that it was impossible if a trial took place in a local venue to obtain a conviction, because the people who formed the local juries took a different view from other people as regards the criminality of agrarian crimes. Now, if these right hon. Gentlemen and the Judges of Assize take this view of the point, it is utterly ridiculous and futile for the right hon. Gentleman the Chief Secretary to assert that changing the venue in such cases would be absolutely useless. I say that you may have your police; you may have your detectives; you may have your Resident Magistrates; but the whole machinery of the Irish Government will totter to its foundation unless criminal trials in Ireland are fairly conducted by a change of venue. The right hon. Gentleman says that there is a right to change the venue at Common Law. I should like the right hon. Gentleman to try it. My experience of these applications is that if you go before the Court and rely on the general condition of a county as reason why it would be impossible to obtain a fair trial the Court will say—"You must go to Parliament. Parliament has given the local venue for the trial of those cases." But even if the Court could be induced to change the venue at

Common Law in certain particular cases of intimidation, the result, as you will find recorded in the Irish law cases, would be that the jury panel would be reduced to 24; and, inasmuch as the prisoner would have a right to challenge 20 out of that number, there would only be four jurymen left to try him. I hope, therefore, that we shall hear no more of this right to change the venue at Common Law. The right hon. Gentleman says you must catch your prisoner before you can try him; but if there is anything which more than another is the cause of the reluctance of the people to give evidence it is the fact that though they may give evidence the prisoner will not be convicted. Unless a prisoner is convicted the last state of the witnesses against him will be worse than the first; and, therefore, unless witnesses believe that the trial will be a fair one, they will decline to give evidence against a prisoner. On the other hand, you will have no difficulty in getting evidence if you show that your laws will not be paralysed, and that the evidence will not go for nothing. Therefore I do in all earnestness press on the right hon. Gentleman the great necessity there is for putting this power of changing the venue into operation. I certainly believe that the right hon. Gentleman was entirely sincere when he stated to the House that if there were a necessity for it he would be the first to take that course. Is there any necessity or not? And I want to know, if there is no necessity, what is the alternative the right hon. Gentleman proposes for the purpose of restoring law and order in this part of Ireland? I only wish to refer to one other matter. The right hon. Gentleman said it was hard to get evidence for the purpose of leading to conviction. But has the right hon. Gentleman or those who assist him been reading the newspapers in these districts for the past month? If he had he would read day after day, in Clare, Limerick, and Kerry, and other parts of Ireland, of these Land League Courts being set up again for the purpose of summoning farmers before them. I myself, within the past few days, have read accounts of such meetings in Clare. In *United Ireland* of the 19th May the right hon. Gentleman will find that parties had been summoned before these Land League

tribunals, for the purpose of explaining their conduct and being held up to public odium. These are matters in the daily routine of the journals that represent certain opinions in the South and West of Ireland. They are not matters hidden away in the dead of night as moonlighting cases are. What has the right hon. Gentleman done in these cases? One case has been mentioned—that of Barry. What are the facts in that case? Barry denounced certain persons for signing Petitions against the Home Rule Bill, and the result of that was that their houses were burned. What steps did the right hon. Gentleman take in that case? The only matter the right hon. Gentleman stated in this House was that it was not fair to be going back upon the character of Mr. Barry. Is the meaning of that defence this—that because Mr. Barry has a bad character and has been convicted before, therefore when he commits a crime now he is to be let off? I think the right hon. Gentleman could lay his finger upon many cases reported in these papers which, as he has himself stated in reply to questions, very frequently led to crime in which, if the right hon. Gentleman consulted his Legal Advisers, the authors of these paragraphs and those responsible for their publication could readily be brought within the Criminal Law. I hope the right hon. Gentleman will not allow this recrudescence of crime to go on and spread in Ireland until he finds it much more difficult to cope with than now.

MR. T. M. HEALY (Louth, N.): I am sure, Mr. Speaker, the Government need no suggestion from me as to what the real object of this Motion is. Its object is, of course, two-fold. In the first place, it has wasted four hours of valuable time, on which I must congratulate the Mover of the Motion; and, in the second place, the object appears to be that the Conservative Party want to get the Liberal Party, who have denounced coercion at all times since 1886, to utilise the Bill which the Conservative Party passed in 1887 in order that thereby the Conservative Party might justify their action for the last seven years. In vain is the net spread in sight of any bird, and certainly I think the Government would be extremely wanting in ordinary sagacity if they did not see this. The object of this Motion

is not so much concerned with outrages in the County Clare as with Party tactics in the House of Commons. From the way the stories are attempted to be palmed off on this House, my belief is that the Tory Party seem to think that any yarn is good enough for the House of Commons. We have just heard the hon. and learned Gentleman the Member for Dublin University, with all the calmness of a lawyer, declare that in Ireland if you have a change of venue at Common Law you have a panel of 24, and that the prisoner has a right of 20 challenges. I would like to ask the hon. and learned Member, is there one word of foundation for the statement? How was Phelan tried for the murder of Boyd in the year 1880? Why did not Phelan challenge 20 jurors?

MR. CARSON: I do not know why he did not.

MR. T. M. HEALY: Well, he did. And strange to say, there were the ordinary number of Common Law jurors left in the box. The reason is plain, because it is not true that the panel consists of 24 jurors, though it is true that the prisoner has the right of 20 challenges. I do not intend to go into the technicalities of the matter now, but if any hon. Member looks it up he will find it in the books. I wish simply to expose and demolish as absurd—

MR. CARSON: As a matter of personal explanation, I wish to say I was referring to a change of venue from one county to another, and not to a restricted trial in the Queen's Bench in Dublin.

MR. T. M. HEALY: The hon. and learned Gentleman is referring to something I never heard of. If the hon. and learned Gentleman feels disposed to imagine a certain state of things, all I can say is that in my present position I am unable to deal with them. I should like to say one word as to the condition of Clare. I believe that the person most responsible for the condition of Clare at this moment is Mr. Justice O'Brien. There is no use in this House in trying to blink the facts. What is the position? You have in Ireland a set of political Judges. I go into the Queen's Bench in Dublin, and whom do I find confronting me? Mr. Justice Holmes, who sat upon that (the Treasury Bench) and proposed the Coercion Act; Mr. Justice Gibson, who



is second in command; and Mr. Justice Madden, who also acted under the right hon. Gentleman (Mr. A. J. Balfour), and the Chief Justice of the Queen's Bench in Ireland—[*Cries of "Order!"*]

\*MR. SPEAKER: Order, order! The hon. and learned Member is now perilously near the infringement of the Rule which says that you must not comment, except upon Motion in due course, upon the conduct of the Judges of the land, or impute to them, arising out of political circumstances, any bias in their conduct.

MR. T. M. HEALY: I shall carefully abstain from any infringement of the Rule. All I say is this, that here you have four gentlemen who have been Attorney Generals under this Coercion Act. And when they go down through the length and breadth of Ireland to declare at the Summer Assizes, or at the Winter Assizes, or at the Spring Assizes, that a particular state of things exists in the country, of course I cannot forget that I have seen these gentlemen at that Table. [*Cries of "Order!"*]

MR. VICARY GIBBS: Mr. Speaker, I wish to ask you, Sir, whether the hon. and learned Member is not now doing the very thing you told him not to do?

\*MR. SPEAKER: The hon. and learned Member, as I said before, is going very near an infringement of the Rule, and I must ask him to faithfully observe the spirit of it.

MR. T. M. HEALY: I shall simply say this, that I admire the character of the English Judges, who never do anything of the kind. [*Cries of "Order!"*]

\*MR. SPEAKER: I must call the hon. and learned Gentleman to Order. I have appealed to him already, not in a very direct way he will admit; but I think he should observe the ruling I have made.

MR. T. M. HEALY: I am very sorry, Sir, if I have infringed the ruling you have made. As this, therefore, appears to be so delicate a subject I think I had better pass from it altogether, reserving to myself when I pass beyond the doors of this House complete liberty of appreciation. I will therefore depart from this subject, which cannot very well be treated in this House except by hon. Gentlemen opposite who utilise the Charges of these Judges. So much upon that head. I would now like to give the House two or three grounds for the pre-

sent condition of things in Clare. I believe that the present state of Clare is largely owing to the distribution of Secret Service money under recent Administrations. I will say this to Her Majesty's Government, that I believe no worse system could exist than the system by which you perpetually keep in your pay in a particular county or district a standing hired informer. If a man is to be rewarded for giving information—if you must reward a scoundrel who has taken part in crime for peaching upon his colleagues—then I say, having rewarded him, the use the Government have been making of him should then and there cease. What happens under successive Administrations? You have kept in your pay in the County of Clare a series of ruffians so disgraceful that they were not even defended in this House by the right hon. Gentleman who then was at the head of the Government—men so disgraceful that their conduct when exposed in this House brought the blush of shame to the cheeks of even coercionist Members of Parliament. You have kept this class of men in your pay, and I say they have stimulated outrage, provoked outrage, and even committed outrage. A notorious case was the case of the murder of Head Constable Whelehan. It is well known and was proved in this House, under the right hon. Gentleman the Leader of the Opposition, that Cullinane, the informer, had been put up for this job. It was not denied, it was known to the police that this outrage was going to take place, but unfortunately the person who suffered by this put up plan was not anybody but the unfortunate Whelehan himself, and the informer was compelled to tell the whole story upon the table. The right hon. Gentleman the Chief Secretary has been attacked by the hon. Member for South Tyrone for having transferred a constable from County Clare to another county. What was proved about this Constable O'Halloran in this House? That he himself distributed ten pound notes to various people, with a view of getting information. The ten pound note that O'Halloran gave to one man was produced in this House by the then Member for the Division, and the right hon. Gentleman the Leader of the Opposition saw nothing to blush at in it. I say that Her Majesty's Government

should put an end to this system of using State informers in the County of Clare, and if they did so the encouragement of crime by informers would, to that extent, be ended. There is another suggestion that I would make to Her Majesty's Government. At the present moment, in the police force, it is only a particular sergeant, or a particular officer, who has any interest in the detection of crime. The general body of the Police Force at large has no interest in the detection of crime. A particular sergeant is entrusted with the distribution of special rewards. He has the whole matter under his hand. The other members of the force are well-acquainted with these facts. They say, "It is no business of ours to bring criminals to justice." To that extent there is indifference amongst the police force as to bringing the proper means to bear upon the detection of crime. Above all, I think the state of Clare was brought about by an ineffective County Inspector. The removal of the County Inspector from Clare will largely tend to the improvement of the district if he is replaced by an efficient officer. I do not know who has replaced him, but I think the inefficiency of the County Inspector of Clare was the third great cause of the state of the county; and I am sure, if he is replaced by a better man, it will greatly tend to improve that district. There is another reason for the state of Clare, and that is the conviction of innocent men. Take the conviction of the brothers Delahunty, one of whom was notoriously an innocent man. The two brothers were convicted together. One of them went down on his knees to the Judge, and swore that his brother was innocent, and that he alone was guilty. I believe that from these convictions of innocent men the idea has spread among these moonlighters that, in all probability, it is the innocent men and not the guilty men who will be convicted, and I believe that fact has largely led to demoralisation. I would be glad that Her Majesty's Government would look into the case of the younger brother Delahunty, and investigate the circumstances connected with his arrest. The only other observation I shall make is as regards the question of the change of venue. Great stress has been laid by the Opposition upon this question of the change of venue. I will not at all say that

there is not something to be said for change of venue when a county is in a demoralised state; but I do not regard this Motion as having been brought forward with any *bonâ fide* object whatever. I do not believe it is brought forward in order to put an end to the state of things in Clare. I believe you are delighted with the state of things in Clare. The hon. Member for South Tyrone crowed with jubilation when the Chief Secretary was obliged to admit that there were 15 more outrages now than 12 months ago. All these outrages are nuts to the hon. Member for South Tyrone. The telegram that he read out that a man was just shot at in the County of Clare reminded me of a man who has been out shooting, and who has taken a big bag. He flourished the telegram before the House—"Another outrage in Clare—good for the Unionist." You are delighted with the state of things in Clare because you can use it as a weapon against Her Majesty's Government. This question of the change of venue, no doubt, is one of considerable difficulty. The moment the Government avail themselves of any section of the Crimes Act, that moment the Conservative Party will shout out with one voice—"Oh, we are justified, our justification is complete now. What did you say in 1887? At last, so barbarous are those Irish that you have been obliged to resort to coercion yourself." That is what you want. You hardly disguise it, because your papers are not as wise as your statesmen. They blurt out things in the most inconvenient fashion; and therefore I simply and absolutely decline to believe that this Motion is brought forward for any *bonâ fide* object. Four hundred Amendments were getting a little tedious, and this is a "maiden over." You have changed the bowling. Your 400 Amendments have been put on the shelf for a few hours, and now you are taking a turn at the County of Clare. The thing is perfectly apparent. It deceives nobody, and I am really astonished that hon. Gentlemen opposite do not do the thing a little more scientifically. When we were obstructing was this the way we did it? Did we ever miss a Vote on Account? Did any one of us go out speaking for a noble Duke when he ought to be in this House to move his Motion? Did we go to garden parties or anything of that kind? No;

we stayed on these Benches and moved our Motion, and did not bring forward irrelevant Motions two days afterwards, without even the pretence that they were brought forward for a *bonâ fide* object. The Unionist Party up to the present have not made at all as good a fist of this business as had been supposed. You were told they were the strongest Opposition of modern times. [*Cries of "Question!"*] I am very glad to hear that cry. It is a reminder, no doubt, of great value, and having received the smallest reminder that I am out of Order, thankful as they will be that I have occupied 10 minutes of this evening, I will obey the slightest hint from the hon. Gentlemen who are so admirably able to decide upon points of order, and I will resume my seat.

Question put.

The House divided:—Ayes 203; Noes 241.—(Division List, No. 107.)

## ORDERS OF THE DAY.

### GOVERNMENT OF IRELAND BILL.

(No. 209.)

COMMITTEE. [*Progress, 31st May.*]

[ELEVENTH NIGHT.]

Considered in Committee.

(In the Committee.)

### Legislative Authority.

Clause 3 (Exceptions from powers of Irish Legislature.)

\*THE CHAIRMAN ruled that the following Amendment, which stood in the name of General Goldsworthy, was out of Order:—

In Clause 3, page 1, line 22, after the second word "or," insert "the Secretary of State for Ireland so soon as he shall be appointed."

GENERAL GOLDSWORTHY (Hammersmith) intimated that he should bring forward a New Clause dealing with the question.

MR. HANBURY (Preston) had the following Amendment on the Paper:—

In Clause 3, page 1, line 24, after "of war," insert "Provided always that nothing in this section shall prevent the passing of any Irish Act whenever such Act may be necessary to provide for the proportionate contribution of Ireland to Imperial liabilities arising from a state of war or exceptional preparation for war."

Mr. T. M. Healy

MR. W. E. GLADSTONE: Before the hon. Gentleman moves this Amendment, I would, with the leave of the House, like to make a suggestion. The object of the hon. Member is a perfectly good one, and the Government are quite ready to meet him; but there are two objections to the Amendment. The hon. Member begins by assuming that Ireland is to be liable for her share of war expenditure. The Government have already stated that in their view Parliament has the fullest right to impose on Ireland her share towards that expenditure; but the Irish Legislature ought to be left perfectly free as to the mode in which that liability is to be satisfied, and Ireland ought not to be disabled from raising money. We ought not, therefore, to rule that the war liabilities of Ireland are to be satisfied by the Irish Executive, and the question ought to be reserved for consideration until we come to the Financial Clauses. The object which the Government have in view is a perfectly legitimate one, and it ought to apply to all the reserved subjects. For the hon. Member's Amendment I propose to substitute the following, which I submit to him will meet the case. On page 2, at the end of the clause, to insert—

"Provided always that nothing in this section shall prevent the passing of any Irish Act for discharging any liabilities imposed by Act of Parliament."

That proposal is large and general; it excludes all the heads of the reserved subjects, and prevents any question as to the incapacity of the Irish Parliament to raise funds for any purpose.

MR. HANBURY should be willing to meet the right hon. Gentleman as far as he could if what had been suggested would meet the purpose he had in view in drawing up the Amendment. But he thought the Leader of the House had misapprehended the gist of the Amendment. In the first place, he was of opinion that a bird in hand was worth more than two in the bush, and the Financial Clauses could not come on until a late period—in fact, they had some doubt whether they would come on at all. Again, as he had said, the right hon. Gentleman misapprehended the purpose of his proposal. The object of the Amendment was not to say that this extraordinary expenditure must necessarily be met by an Irish Act, but that

it might, if necessary, be met by an Irish Act. The Bill did not allow any portion of that extraordinary expenditure to be met by an Irish Act. He could not agree with the further objection raised by the right hon. Gentleman—that this proviso ought to apply to all the sub-sections in this clause; but during the adjournment for dinner he would consult with the Leader of the Opposition, and would, when the Committee resumed, state the decision at which he arrived.

On resuming,

MR. HANBURY said, he had had an opportunity of consulting the Leader of the Opposition (Mr. A. J. Balfour) and the late Solicitor General (Sir E. Clarke), and they both agreed that the proposition which had been made fully carried out the object of his Amendment. He was perfectly willing to withdraw his Amendment and insert the words suggested at the end of the clause as follows:—

“Provided always that nothing in this section shall prevent the passing of any Irish Act for discharging any liabilities imposed by Act of Parliament.”

\*THE SOLICITOR GENERAL (Sir J. RIGBY, Forfar) said, he understood that these were the exact words used by the Prime Minister.

MR. HANBURY said, he had the words in the handwriting of a Member of the Government.

MR. SEXTON rose, but—

THE CHAIRMAN: There is nothing before the Committee.

MR. SEXTON: The Amendment.

\*THE CHAIRMAN: The Amendment has not yet been moved. We have only heard a conversation, and it was not properly before the Committee.

MR. HANBURY said, before the Amendment was withdrawn he should like a distinct answer as to the words of the Prime Minister. Were those words accepted or not?

THE CHAIRMAN then read Mr. Hanbury's original Amendment.

SIR J. RIGBY: The words which the right hon. Gentleman the Prime Minister proposed—

MR. BARTLEY (Islington, N.), on a point of Order, asked whether the Amendment ought not to be put in the first instance before discussion arose?

THE CHAIRMAN did not reply.

SIR J. RIGBY, rising again, gave way to

MR. SEXTON, who said, as he understood it, Ireland was to contribute under two heads—an ordinary contribution and a special contribution in the case of war. He wished to have it made clear that her liabilities would not be made greater by this Amendment or the words suggested in lieu of the Amendment. He would suggest that the words to be used should be—“To prevent any liabilities imposed by this Act.” That would show that there was to be no increase in the liabilities by any other Act.

MR. HANBURY said, he rose to a point of Order. He did not move the words now. They were to be moved at the end of the clause, and he apprehended any discussion now was out of Order. He had a distinct pledge from the Government.

THE CHAIRMAN: That is quite right. The hon. Member wishes, then, to withdraw his Amendment?

MR. HANBURY said, yes; but it would be taken—the words would be inserted—at the end of the clause upon the sub-section.

MR. SEXTON said, he would like, before they passed from the subject, to hear the views of the Solicitor General and the Chief Secretary for Ireland on the words proposed by the hon. Member for Preston, and the statement he had just made regarding them. The words seemed to him to carry an extension of the liabilities proposed by the Bill. They were entitled to know whether Ireland was to contribute under two heads—an ordinary contribution and a special one in time of war? His object was to ensure that ~~the~~ liabilities would not be increased.

MR. J. MORLEY: Whatever the agreement arrived at, it took place when I was not present.

THE CHAIRMAN: The only question now before the Committee is that the Amendment be withdrawn, and it is not proposed to move any further Amendment until the end of the clause is reached.

MR. SEXTON: Before we agree to the withdrawal of the Amendment it is desirable that we should ascertain what the agreement is that was come to a few moments ago.

**MR. J. MORLEY :** The right hon. Gentleman the Prime Minister told the hon. Member for Preston that he would insert at the end of the clause the words which were read out at the time—words to the effect of the Amendment of that hon. Member.

**MR. HANBURY** said, the words he had read out he had read from a manuscript in the handwriting of the Secretary to the Treasury taken from the lips of the Prime Minister himself.

**MR. MACARTNEY** said, that one of the objections the Prime Minister took to the words of his hon. Friend was that they only applied to one exceptional liability, and he suggested a form of words which covered a number of exceptional liabilities.

**MR. SEXTON** said, he was willing for words to be inserted such as would provide for all the liabilities under the Act, but he should look askance at any Amendment having reference to liabilities beyond those.

**MR. BARTLEY** said, the Prime Minister had declared that he desired to give a larger scope to the liability than that contained in the Amendment. When the matter came up for decision he hoped there would be no hesitation in carrying out the view of the Prime Minister.

Amendment, by leave, withdrawn.

**MR. PARKER SMITH** said, he rose to move an Amendment which would introduce, in effect, the Preamble of the Foreign Enlistment Act of 1870. The object was to except from the powers of the Irish Legislature the power to make laws as to

“the regulation of the conduct of any portion of Her Majesty’s subjects during the existence of hostilities between foreign States with which Her Majesty is at peace, in respect of such hostilities; or.”

The Foreign Enlistment Act, which was one of first-rate importance, extended to all the dominions of Her Majesty, including the adjacent territorial waters, and provided that nothing should be done to the detriment of foreign Powers who might be at war with each other whilst at peace with us. It was an Act universally applicable to the whole of the British Empire. It was an Act which no colony could alter. He presumed it was the intention of Her Majesty’s Government that the Irish Legislature

should not have power to alter that Act in any way. He would like, however, to ask the Solicitor General or the Secretary for Ireland whether it was the view of the Government that the case he put in his Amendment was already sufficiently covered in any sub-section of the clause, or whether they thought his Amendment was necessary?

\***SIR J. RIGBY** was understood to reply that in his view the point raised by the hon. Member was already provided for in the Bill. The regulation of the conduct of any of Her Majesty’s subjects during hostilities would be connected with legislation having reference to a state of war. That would not be a matter relating exclusively to Ireland. This question was covered by Section 2 of the Bill—by the fact that the only power given to the Irish Legislature was to make laws in respect of matters exclusively relating to Ireland or any part thereof.

**MR. PARKER SMITH** said, he was afraid he could not accept that assurance, and he would therefore proceed with his observations in support of his Amendment. The case that might arise under the Foreign Enlistment Act would very likely deal with some individual in Ireland, and it was a startling idea that the limitation of legislative powers of the Irish Parliament to matters exclusively Irish could by any possibility be held to prevent the Irish Parliament from repealing Section 8 of the Foreign Enlistment Act, so as to allow an individual to build and equip a ship, say at the great ship-building yard in Belfast, with the knowledge that it would be used for purposes of war against a friendly State. It never occurred to him that anyone would argue that the fact that the powers of the Irish Legislature were limited to matters exclusively relating to Ireland would prevent the Irish Parliament from repealing that section, and allowing a ship building yard in Belfast to build a blockade-runner or a fast cruiser, in that way bringing not only Ireland but the whole British Empire into difficulties. That argument was a striking example of the legal subtlety of the Solicitor General, and might do for the Court of Chancery, but would not pass muster in the House of Commons.

\*SIR J. RIGBY said, that he might have called attention to the sub-sections of the clause as precluding the Irish Parliament from repealing the Foreign Enlistment Act. Those sub-sections would prevent the Irish Parliament from legislating as to Treaties and other relations with foreign States and as to matters arising out of a state of war.

MR. PARKER SMITH said, those sub-sections had seemed to him to be the sub-sections which would bear upon the matter if any part of the Bill did. It was a startling proposition to say that the provision as to the making of peace and war should refer to war between two foreign States in which this country was not concerned. The obvious meaning of the sub-section was the question of this country being at peace or war with a foreign Power. The other sub-section to which the hon. and learned Gentleman referred was that which prevented the Irish Parliament from dealing with the question of Treaties or other relations with foreign States or the relations between different parts of Her Majesty's dominions. "Other relations" must mean other relations of the same kind—Conventions or Agreements of any sort between this country and some other nation. It seemed to him impossible to conceive that offences against International Law, which might not absolutely form the subject of Treaty and offences under the Foreign Enlistment Act, could be held to be covered by the words of Sub-section 4. They had to look upon this question in the light in which it would strike an ordinary person. It was a matter which should be considered by laymen as well as by lawyers, so that the clause should be made clear and explicit. The failure to enforce the provisions of the Foreign Enlistment Act might involve this country in war or in an arbitration costing us many millions. The Act was passed in 1870 as a result of long deliberation and of bitter experience, after the *Alabama* question had been hanging for many years over our heads, and in the early days of the Franco-German War, when it was felt to be essential that further powers should be given to the Government to prevent a recurrence of the American difficulty. The main provisions of the Bill were, in the first place, to prevent illegal enlistment; that was to say, to prevent enlistment in

any part of the British Empire of men to take service with either of two belligerents who were already at war. After the establishment of an Irish Parliament this question might easily become of vital practical importance. Supposing a war arose in which there might be a possibility of the temporal power of the Pope being restored. This country might be neutral, or might possibly be on the side of Italy. But there would be a very strong feeling in Ireland on the side of the Power that held out a chance of the restoration of the temporal power of the Pope. There would be an enormous temptation to the Irish Parliament to give facilities for the formation of a foreign Legion, and if such a Legion were formed, we might be involved in the most serious consequences. It seemed to him of essential importance, therefore, that there should be no doubt that the power to repeal any of the sections of that Act should remain in the hands of the Imperial Parliament, and should not be given into the hands of a subordinate Parliament in another part of the Empire. The next set of clauses of the Act dealt with illegal shipbuilding, and fitting out and aiding the cruisers of the enemy, and this was a question not merely of our own Statutes, but of the rules which we laid down in our Geneva Arbitration, which we undertook to hold for the future and to do our best to enforce, and for any breach or violation of which we should be held liable. It was because we transgressed the rules we had laid down and accepted *ex post facto* that we had to pay an indemnity of 15,500,000 dollars. Under the Foreign Enlistment Act the very largest powers of seizure were given to the officers of the Executive. In Ireland the Lord Lieutenant would deal with these matters, and he wished to know whether the Lord Lieutenant would, in the exercise of his discretion, act under the control of the Irish Parliament or under the control of Parliament at Westminster? What he wished to make certain of was whether it would be possible for the Irish Parliament to repeal any of the provisions of the Foreign Enlistment Act? It was clear that if they ventured to do so in a time of war the Imperial Parliament would certainly interfere, and by its overmastering power stop them from doing so. But that would be a very unsatis-

factory way of treating the question, and would bring about far more friction than would be created in laying down in clear and simple words the rights of the two Parliaments. This question, it seemed to him, was far too important to leave uncertain, and to subtle constructions such as those as the Solicitor General.

#### Amendment proposed,

In page 1, line 24, after "war," insert "the regulation of the conduct of any portion of Her Majesty's subjects during the existence of hostilities between foreign States with which Her Majesty is at peace, in respect of such hostilities; or."—(*Mr. Parker Smith.*)

Question proposed, "That those words be there inserted."

**MR. W. E. GLADSTONE:** My hon. and learned Friend the Solicitor General has already given the opinion of the Government as to the intention of this Bill—that there shall be no power in the Irish Parliament to interfere with the provisions to which the hon. Member has referred, and has stated that in his judgment the words of the Bill are perfectly adequate to give effect to that intention. That, I am bound to say, is our feeling. But the hon. Gentleman, looking at the Bill, I am sure not with a desire to destroy it, but in perfect good faith, has doubts as to whether the clause gives effect to the intention which the Government have expressed. Those doubts may be shared by others. The policy of the Government in a case of that kind is to pay all the respect we can to doubts we do not share, provided the mode proposed for meeting these doubts does not in our judgment import any inconvenience or danger. That is the principle on which we have acted, and that is the principle on which we mean to act. Examining the words of the Amendment from that point of view, the Government do not think there is any harm in them. They express what we believe to be already conveyed by the Bill; and as there is no harm in them, we are willing to admit them.

**SIR H. JAMES (Bury, Lancashire)** said, this raised, for the first time, a fresh question of extreme importance to this country, though, of course, there was nothing more to be said now than that the right hon. Gentleman the Prime Minister had seen his way to accept the Amendment. The effect of the Amendment

was merely to insert in the Bill the title of the Act of 1870 as an assertion that the Act of 1870 could not be touched by the Irish Legislature. Of course, they could not touch the question of the Executive at this stage; but inasmuch as these words were now to be put into the Bill, of course the Prime Minister would in the same spirit see that provision was made for carrying out the obligations of the Foreign Enlistment Act.

**MR. SEXTON** was willing that the view of the Prime Minister should be carried into effect; but he doubted whether, as a matter of drafting, the words of the Amendment were apt words for the purpose. He would put it to the Solicitor General that he should apply himself to the matter, so as to prepare words which would make it clear that there should be no infraction of the Foreign Enlistment Act by the Irish Parliament.

\***SIR J. RIGBY** said, he could see no objection to these words as they stood. There could be no reason for supposing that they covered anything more than the prevention of such legislation as would be against the spirit of the Act of 1870, and might involve us in difficulties with other Powers.

Question put, and agreed to.

**THE CHAIRMAN:** The next Amendment, in the name of the Member for North Islington (**Mr. Bartley**), which is "Clause 3, page 1, line 24, after 'or,' insert—to change the name, title, or powers of the Legislature as established by this Act," is out of Order.

**SIR E. ASHMEAD - BARTLETT** rose to move the following Amendment:—In Clause 3, page 2, line 1, leave out "naval or military forces," and insert "army, navy, militia, volunteers, and any other military forces."

**MR. W. E. GLADSTONE:** We propose to accept this Amendment, with the exception that we would alter the precedence as between the Army and Navy. We would suggest that the words should read "navy, army, militia, volunteers," and so on.

**SIR E. ASHMEAD-BARTLETT:** I have no objection to the slight alteration proposed by the right hon. Gentleman.

*Mr. Parker Smith*

Amendment proposed,

In page 2, line 1, leave out "naval or military forces," and insert "navy, army, militia, volunteers, and any other military forces."—(*Sir E. Ashmead-Bartlett.*)

Question, "That those words be there inserted," put, and agreed to.

**THE CHAIRMAN:** The next three Amendments are out of Order.

**MR. BARTLEY** said, that on behalf of the hon. Member for Dover he would move the next Amendment.

Amendment proposed,

In page 2, line 1, after "forces," insert "or any police force other than a local police force required for local purposes and acting under the orders of a local authority."—(*Mr. Bartley.*)

Question proposed, "That those words be there inserted."

**MR. SEXTON** said, the whole question of police was dealt with in Clause 30 of the Bill and the Schedule dependent on it, and it would be extremely inconvenient to have anything bearing upon that subject elsewhere than in that clause.

**MR. W. E. GLADSTONE:** I agree with the hon. Member for North Kerry that it would be more convenient to discuss this question, if it has to be discussed, on the later clause. I hope it will not be insisted upon.

**SIR E. CLAKE** did not think Section 30 would be a convenient point for considering this Amendment. The question was whether a Legislative Body in Ireland was or was not prohibited from dealing with police which were of an Imperial or central character or other than a local force. If they looked at the 30th clause they would find that it referred only to the Royal Irish Constabulary and the Dublin Metropolitan Police and the way in which those forces could be dealt with. If any prohibition was to be inserted in the Bill this would be the appropriate place.

**MR. SEXTON** pointed out that under the 6th schedule, read in connection with the 30th clause, local forces might be established by Irish Act. That would, therefore, be the place in which the Amendment should be dealt with.

**MR. W. E. GLADSTONE** (who was indistinctly heard) was understood to speak as follows:—I must admit that

there is some argument in favour of dealing with the Amendment at the present moment. My contention is that, from a theoretical point of view, the control of the police ought not to be taken out of the discretion of the Irish Legislature, on the broad ground that it is a matter which relates absolutely and exclusively to Irish affairs. I have always held the very strongest opinion that the duties of the police are duties which constitute the very first letter in the alphabet of local government. Historically, the basis of all local government is the local protection of life and property. Now, let us look at the case from a practical point of view. It appears to me that if we attempted to interfere with the discretion of the Irish Legislature we should place them in a very false position. You must in a good police force have the power of transmission of a body of men from one district to another. The wants of particular districts and neighbourhoods are not a constant quantity. A town may require a certain number of police for its own purposes; but special circumstances may arise which, as in the case of Hull the other week, without the smallest imputation on the intention of any of those connected with the recent strike, constitute a state of things in which prudence requires that there should be a larger number of police on the spot. Will you lay down as your policy in the matter of police that the police force of each locality should be according to its maximum wants or according to its aggregate, which are also its minimum wants. Take the case of Belfast, which furnishes the best example that I think the whole case of Ireland, as far as recent experience goes, presents. Should we force the Irish Legislature to fix the police force at Belfast at its maximum wants? No, certainly not. Surely it would be much better that, instead of having in every police district arrangements adequate to meet exigencies, which occur once in 15, or 20, or 50 years, you should have a central force, which would be adequate to meet the whole of such exigencies. Otherwise, it is evident that you must bring about enormous waste. You ought to have in each district a police force strictly adequate to its ordinary aggregate wants, which are also its minimum wants,



and you ought to have the means somewhere in the country of meeting whatever special exigencies are likely to arise. It appears to me that these are propositions which do not belong to the contested parts of this subject. Very well then, what is to be done? I am for localising to the utmost degree. Even if the Irish Legislature chose to avoid having any central police force, which I rather hope it would, they would be obliged to make provision for having somewhere an available and disposable extra police force over and above the wants of some special locality—say Dublin—which extra force might upon occasion be made use of for the different parts of the country, just as in England now detachments of police are sent from one district to another to meet local wants. I cannot conceive how this can be disputed. Supposing there were disturbances in Belfast, would it be right that it should depend absolutely and finally upon the Municipality of Dublin to determine whether order should be restored in Belfast or not? It surely is obvious, not that you should necessarily introduce a Central Authority—God forbid; no one wants to avoid that more than I do—but that it would be absurd to say that the power of provision for the special wants of any particular district should depend on the will of the Local Authority of some other district. I think the hon. Member who is responsible for the Amendment means to make the Committee understand that there is a certain jealousy of a political force. The Royal Irish Constabulary is an expiring Force, and will be replaced by an Irish Force. Is the Viceroy to have no control over the movement of police forces from one part of the country to another as far as regards the meeting of exigencies which might occasionally arise? I cannot think the hon. Member really means to prevent the intervention of the Authority responsible for the peace of the country in determining those questions which may arise, and which always must arise from time to time. I think, without going further into the question, there are adequate reasons why we should not attempt to interfere by prohibition in a matter so purely Irish and so entirely beyond the possible occurrence of anything in the nature of risk.

*Mr. W. E. Gladstone*

MR. WYNDHAM (Dover) said, he had never contemplated that there should be no Central Authority in Ireland having power to move a central force or local contingents of police from one place to another. His difficulty was that the Bill, as it stood, contemplated the gradual substitution of purely local forces for the Royal Irish Constabulary as it now existed. But there was nothing in the Bill or in the facts of Irish history which would lead to the supposition that an Irish Government would abolish the Royal Irish Constabulary out of hand. The Royal Irish Constabulary had been the good servants of all those who had employed them. The present Chief Secretary (Mr. J. Morley), the Leader of the Opposition (Mr. A. J. Balfour), and everyone else who had had any dealings with the Force had been proud to speak of them as they deserved, and had paid them many well deserved tributes in the House of Commons. In calm moments the Nationalist Members had added their tributes, and he did not think it beyond the bounds of possibility that there would be no undue hurry on the part of an Irish Government to abolish altogether one of the factors of Irish life of which Irishmen might be most proud. That being so, the Committee must consider that the Royal Irish Constabulary might continue to exist in many places, and his object was to make this perfectly clear. If the Lord Lieutenant in his relations with the Royal Irish Constabulary was an Imperial officer the Amendment ought to be accepted, because only yesterday the Prime Minister stated that the Lord Lieutenant, except within those spheres of action specifically withdrawn by this clause, was an Irish officer responsible to the Irish Executive. As long, however, as the Royal Irish Constabulary existed he would act, according to the Bill, as the representative of Her Majesty the Queen. If so, it was clear that the Constabulary ought to be excepted under the 3rd clause, just as the Army and Navy were excepted. But, supposing that the Irish Legislature did get rid of the Royal Irish Constabulary, what was to be placed in the field of action so cleared? The Prime Minister said he was in favour of localising the police as far as possible. In making

that statement the right hon. Gentleman had merely repeated the tenor of thousands of speeches throughout the country. Would not the Government, then, prohibit in this Bill the recrudescence of an evil they had deplored during the six years of the late Government's tenure of Office. The Prime Minister had implied that in asking the Committee to accept this Amendment he was casting some reflection upon the Irish nation and upon the Irish Legislature which he hoped to see created. In fact, the right hon. Gentleman had again employed the old argument about attributing to the Irish nothing human but the form.

MR. W. E. GLADSTONE: I said nothing of the kind.

MR. WYNDHAM: I understood the right hon. Gentleman to imply that the Amendment was inspired by mistrust.

MR. W. E. GLADSTONE: I said nothing about mistrust.

MR. WYNDHAM held that the Prime Minister had intimated that the Mover of the Amendment was actuated by mistrust of the Irish nation in suggesting that the Irish Legislature might go beyond the tenour of the Bill by creating a clandestine force to coerce Ulster. He held that view, and denied that it constituted any reproach to the Irish people, or to the Irish Legislature that was to be. They were invited by the Bill to divest themselves of the responsibility of keeping the peace as between Ulster and the rest of Ireland, and to shift that responsibility on to the shoulders of the Irish Legislature. But if he were a responsible Minister in that Legislature he should utterly refuse to undertake the task unless he was allowed to embody a force analogous to the Royal Irish Constabulary as it now existed. Did not that dispose of the insinuation that he was distrustful of the Irish nation, and that he suspected the Irish Legislature would act contrary to the spirit of the Bill? Indeed, he contended that it would be no crime if the Irish Legislature sought to create such a force, unless they were directly prohibited by Act of Parliament from doing so. A central force—a force removable from place to place, as the necessity arose—would be necessary in

Ireland to preserve peace and order, whether the country was under Nationalist or Imperial Government. Then came the question, Who should have the control of that central force? There could be but one answer to that question. They had in the 2nd clause of the Bill the declaration that the Imperial Parliament must be supreme. It had been said that that declaration would remain a mere idle form of words unless they had some machinery in Ireland, such as an adequate police force, which the Imperial Parliament could direct to make good its supremacy throughout Ireland. If the Government intended to adhere to their declarations that they would effectively maintain the supremacy of the Imperial Parliament, they would insert provisions in the Bill either to retain the Royal Irish Constabulary as at present, or to create another central force. On the other hand, if they broke faith with respect to those declarations, and refused to allow the insertion of Amendments for creating adequate machinery to maintain that supremacy, they would aggravate the consequences of their *lâches* and not only deprive the loyal people of Ireland of armed protectors but impose upon them armed oppressors. The necessity for a centralised force had been admitted by the Prime Minister. The question, then, to be decided was whether the Imperial Parliament, which must be more impartial than the Parliament sitting in Dublin, was to control that force? It must be remembered that the Royal Irish Constabulary had been described at one time as "Morley's Murderers," and at another time as "Balfour's Bloodhounds." What name, he asked, would a similar force controlled by the Irish Parliament be called; but, above all, what would be the essence and character of such a force?

MR. A. J. BALFOUR: The Prime Minister, in his observations upon this Amendment, was, through the accident of the progress of business in Committee, placed somewhat under the disadvantage of speaking before he had heard the arguments which the Mover of the Amendment proposed to advance in its defence. There are, therefore, aspects of the question which appear to have escaped the attention of the Government, The Prime Minister, in his speech.

appears to contemplate the necessity for Ireland of some kind of central police force, and he seems to think that some such central police force exists at the present time in this country. That is a mistake.

**MR. W. E. GLADSTONE :** There is a large force in the Metropolis, under the control of the Executive Government, which supplies all the needful purposes of a central force.

**MR. A. J. BALFOUR :** The one observation I have to make on that statement is that, as I understand, the Government propose to hand over the central police force to the control of the County Council, with the exception of a small fragment in central London, which is to remain under the Executive power. That force will not be of the slightest use for provincial work. It could not be of service, for example, in the case of disturbances at Hull or elsewhere. Then, again, I do not believe it is legal, and certainly it is not practicable to use the London Police Force in Scotland.

**MR. W. E. GLADSTONE :** They go to Balmoral.

**MR. A. J. BALFOUR :** Well, when I was Secretary for Scotland it was at one time difficult to provide an adequate police force to deal with disturbances in one or two of the Highland Counties, and the Executive had to rely entirely upon the charity of the police authorities of other districts of Scotland—a charity which was withheld in some cases, and very grudgingly granted in others. The contention of the Prime Minister that there is an adequate central police force in this country which can be used in cases of disturbances in outlying portions of the island is, I think, absurd. I am one of those prejudiced persons who hold that the proper form of police service is a central service. We should never have had a localised police force in this country were it not for the law-abiding instincts of the British community, which prevented evil arising from that state of things. I might remind the Government that the first idea of an Army was a local force, which gradually developed into our present central Army. However, to the local police service which is found adequate to our needs in

England the people are accustomed, but it is not the best form of police service. In Ireland, however, different conditions prevail, and to manage affairs in that country without a central police force will be extremely difficult. The difference between Ulster and the rest of Ireland alone constitutes a reason why a local police force depending upon Local Authorities will always be difficult to use in certain cases of emergency. That being admitted, the question is whether the control of a central police force, which is the right form of force for Ireland, can be safely entrusted to an Irish Assembly? I think not, for the following reasons. A central police force paid by an Irish Parliament and under the control of an Irish Executive could be used, and would be used, for oppressive purposes in dealing with a Province like Ulster, differing from the rest of Ireland in its aims, intentions, religion, history, and in all things which make up the life of a community. It would be intolerable that the Executive in Ireland should have such powers to coerce Ulster. This, I think, is the view of the Government itself, for in the 30th clause of the Bill it is proposed that the police force which is to be gradually substituted for the existing centralised force shall be a local force. The Government, therefore, agree that the Irish Executive ought not to be given the power of ordering about a central police force. The proper force to give to Ireland under this Bill is a local force under the County Authorities, and over which the Irish Executive would have no more power than the Home Secretary has at this moment over the county police of Aberdeenshire or Ross-shire. If we are to allow the Irish Government to become the paymasters and commanders of a force of 12,000 drilled men, what value can be attached to the provision in the Bill which says that the new Legislature is to have nothing to do with the Naval or Military Forces of the Kingdom? At this moment a month's drill, or less, would make the Irish Constabulary the most formidable Military Force in the world. From the quality of the men, from their education, their training, they are not merely the raw material but the manufactured material of an admirable Army, and to allow this new Parliament to be the masters of such a Force would be little less than

*Mr. A. J. Balfour*

lunacy. I know that the Prime Minister resents as if it were a personal insult any suggestion that in any conceivable circumstances the new Irish Legislature and Executive could ever be engaged in hostile action against British interests and the British Army. But such things have occurred in the past, and may happen in the future; and we must remember that we are not legislating merely for next year or the year after that, but for an indefinite time. Are we, then, to shut our eyes to the possibility that in setting up a separate Legislative Assembly and Government in Ireland, and giving that Assembly the power of having a separate Army, we are creating in our own despite a danger and a menace? I do not say that the possibility which I am contemplating would be fatal to our interests; but there can be no doubt that in times of difficulty it may put an additional and most severe strain even upon the resources of this Empire. These are reasons which should induce the Committee to think not once nor twice, but to deliberately pause before they refused an Amendment which will, in the first place, have the effect of preventing, not only the abuses which undoubtedly may follow in internal administration from the intrusting to the Irish Legislature a central police force which may be used as a great instrument of oppression, but also which will have the effect of preventing external complication that may result from endowing the Irish Government with an army formidable in discipline and training which may prove at a time when we are pressed by the sorest necessity and have to meet the greatest difficulties to be a new danger and a new difficulty with which it will be almost impossible for us to deal.

**MR. J. MORLEY:** I must point out that the right hon. Gentleman has entirely overlooked a couple of facts. The first is that the Government do not contemplate the placing of this police force under the central authority. The Bill expressly says that that is not to be done.

**MR. A. J. BALFOUR:** Where?

**MR. J. MORLEY:** In Clause 30 of the Bill, to which the right hon. Gentleman has himself referred. Then the right hon. Gentleman has overlooked

another thing. He has rightly said that the Royal Irish Constabulary is a splendidly-organised, armed, drilled, and disciplined force, that for a time all might be well, but that under certain contingencies that force might be used by the new Irish Government as a military force, for military or naval purposes, against this country. But the right hon. Gentleman entirely overlooks in his argument one line in Clause 30 which indicates that no officer or man shall be appointed to either of those forces.

**MR. A. J. BALFOUR:** In Section 30, as the right hon. Gentleman says, the Government have undoubtedly indicated their own private and personal view in the drafting of the Bill that the force to be substituted for the Royal Irish Constabulary is to be a local force. That is true enough, but there is nothing in the Bill to prevent the new Irish Government from starting an Irish Constabulary of their own, paid, armed, and drilled precisely as the Irish Constabulary is now. If the Chief Secretary thinks that that is not the intention or desire of the Government, I would earnestly press upon him that all he has to do is to accept the Amendment, and the contingency will be absolutely obviated.

**MR. J. MORLEY:** The right hon. Gentleman was not present earlier in the evening when an Amendment, moved by an hon. Gentleman opposite, was accepted by the Government, prohibiting the Irish Legislature from having an Army, Navy, Militia, Volunteers, or any other military force. The right hon. Gentleman says there is nothing in the Bill to prevent the new Irish Government from creating, constituting, drilling, and arming a new force; but if they attempted to create such a force under the pseudo-name of police, that would be contravening the Amendment that has been accepted by the Government.

**MR. WYNDHAM** said, he could point out circumstances in which the Irish Legislature might create a force equally dangerous without contravening the section to which the Chief Secretary referred. Supposing a local police force were created under the Bill in Ulster and the Royal Irish Constabulary were withdrawn from that part, but were

to continue in existence elsewhere. If difficulties arose in Ulster after five years, and the local force proved inadequate to cope with them, did the Chief Secretary contend that it would not be in the power of the Irish Legislature to raise 1,000 men and put them into Ulster, calling them policemen? So far as he could see, there was not a line in the Bill to prevent the Irish Parliament from raising a police force to deal with difficulties in Ulster.

MR. JAMES LOWTHER (Kent, Thanet) said, it was quite impossible for anybody who had had an official connection with the Royal Irish Constabulary to accept the assertions made by the Chief Secretary. He understood that the force of the future was to be a civil force. Allusions had been made to a military force, but he hoped the Committee would keep totally distinct the questions whether the force was to be central or local, or whether it was to be civil or military. At present the Royal Irish Constabulary was a force central and military in its organisation; but a force might be local and military, or central and civil. The contention of his hon. Friend was that if any central authority were to have the control of the police it should be laid down that that authority should be subject to the Imperial Parliament. The Prime Minister stated that that was already provided for.

MR. W. E. GLADSTONE: It is in the Amendment.

MR. JAMES LOWTHER said, it was not in the Amendment or in the Bill.

MR. W. E. GLADSTONE: The police are given to the Viceroy.

MR. JAMES LOWTHER said, that if he were to discuss the powers of the Viceroy he would be told that he was out of Order in anticipating a later clause; and he declined to accept, even from so high an authority as the right hon. Gentleman, a suggestion to contravene the regularity of the discussions. He would not only endorse what the Leader of the Opposition had said about the Royal Irish Constabulary, but would add that no British regiment could be produced which could hold a candle to an equal number of men in the Constabulary. They were seasoned troops, and

not short service men. The Bill provided no adequate safeguard against the raising of an unlimited and highly-disciplined force by the Irish Government. He hoped, therefore, that the Committee would insist on the insertion of words in the Bill which would prevent the Irish Government of the future—if he could contemplate such a monstrosity—having under its command a highly-disciplined force which would enable it to perpetrate injustice in all parts of Ireland.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. H. H. FOWLER, Wolverhampton, E.): The right hon. Gentleman appears to contemplate the continued existence of the present highly-trained Constabulary Force.

MR. JAMES LOWTHER: I beg pardon. I have done nothing of the sort. I entirely recognise that under Clause 30 the existing Constabulary and Dublin Police Force will be gradually dissolved. But I contend that there is nothing in the Bill to prevent an equivalent force from being created the very next day after those forces have disappeared.

MR. H. H. FOWLER: The right hon. Gentleman confirms me in the opinion I have formed that he has not read the subsequent clauses of the Bill. So long as the Dublin Metropolitan Police and the Irish Constabulary continue in existence they are to be under the control of the Lord Lieutenant. These highly-trained forces can never be under the control of the new Legislature. The right hon. Gentleman says there is nothing in the Bill to prevent the creation by the Executive of a new Royal Irish Constabulary.

MR. JAMES LOWTHER: I did not say Royal.

MR. H. H. FOWLER: Well, a new Constabulary. [*Opposition cheers.*] I am glad hon. Gentlemen cheer, because that is how the right hon. Gentleman gives himself away. If it is not to be a force like the Royal Irish Constabulary the whole of the right hon. Gentleman's argument falls to the ground. The new force will be either a Constabulary or a Police Force. Is it to be an armed force? By using the words "local police force" it is made impossible to create an armed force. Can anyone

mention a County or Borough Police Force that is armed ?

**MR. JAMES LOWTHER :** The very city in which the right hon. Gentleman stands. The London Police Force carry revolvers.

**MR. H. H. FOWLER :** No London policeman can carry a revolver without special permission and under special circumstances. But, assuming that a police force can be armed and made a military force, then it at once passes beyond the purview of the powers of the Irish Legislature. [*Opposition cries of "No!"*] The right hon. Member for West Birmingham should not cry out "No," because he was not in the House in the earlier part of the evening.

**MR. J. CHAMBERLAIN :** I beg pardon. I am listening to my right hon. Friend with the greatest interest. I did not utter a word.

**MR. H. H. FOWLER :** I beg my right hon. Friend's pardon ; I thought he contradicted my statement. An hour and a half ago the Government accepted an Amendment to extend the prohibitory clause of the Bill to every kind of military force. Whatever description of force comes within the category of military force is excluded from the purview of the Irish Parliament. I consider the Irish Constabulary to be a military force.

**MR. A. J. BALFOUR :** Not at all.

**MR. H. H. FOWLER :** It is an armed force, and that is the essential difference in England and Scotland between the military and police forces. In Ireland we were dealing with a military force under the guise of a Constabulary Force.

**MR. A. J. BALFOUR :** It is not a military force.

**MR. H. H. FOWLER :** Well, anyhow, it is under the control of the Executive. If the right hon. Gentleman will refer to the 6th schedule of the Bill he will find the various regulations as to the establishment of the Irish police forces and as to the Royal Irish Constabulary and the Dublin Metropolitan Police ceasing to exist. It is there provided—

"That such local police forces shall be established under such local authorities, and for such counties, municipal boroughs, or other larger areas as may be provided by an Irish Act."

The argument of the hon. Member for Dover is that the police forces will be local police forces, which will be under the control of the Local Authorities, and that it ought not to be in the power of the Irish Legislature to create a central police force. In that case we might just as well not give Home Rule at all. That is the meaning of the Opposition then, but it is not ours. You create a Local Legislature in Ireland, and to refuse to that Local Authority control of a civil force for the purposes of civil administration is a contradiction of terms, which the Committee will not stand for one moment. I entirely sympathise with the view that the Irish Legislature should not have power to create a military or an armed force, which should not be under the control of the Imperial Executive. That was already provided by the provisions of the Bill, but it has been emphasized by the Amendment, which has been accepted. Every military force in Ireland—everything that comes under the definition of a military force—is reserved to the control of the Imperial Parliament ; but the local police force will be placed in the hands of the Irish Government.

**\*MR. GOSCHEN** (St. George's, Hanover Square) : The Prime Minister has suggested that there should be not only local police forces subject to the Local Authorities, but a central force which should be subject to the control of the Irish Executive.

**MR. W. E. GLADSTONE :** I said that there must be some disposable force, whether central or not.

**\*MR. GOSCHEN :** The right hon. Gentleman says that there must be an available and disposable force, under the control of some Central Authority, which might be sent to assist the Local Authorities when necessity arises. At all events, for the purposes of argument, may I be allowed to call that force a central force, because it would be impossible to call it a local force. We had it from the Chief Secretary that there is nothing in the Bill which would authorise the existence of a military force in Ireland under the control of the Irish Government. Then the question is, can the central police force be converted into an armed force ; and, if so, is there any words in the Bill which will prevent it from being so converted into

an armed force? It is clear that there has been a *casus omissus* in the Bill in reference to the creation of a military force, and that is the reason why the Prime Minister has assented to the amendment of the Bill in that respect. The Bill, however, contains no words which will prevent the creation of such a military force, except those which are in the Amendment to which the Prime Minister has assented, and the question is, whether the language of that Amendment is sufficient for its purpose? The right hon. Gentleman who spoke last quoted words of the Bill to the effect that "the local police forces are to be established under such Local Authorities and for such counties, municipal boroughs, or other large areas as may be provided" by what—by "an Irish Act." The right hon. Gentleman did not put a distinct emphasis upon the words "by an Irish Act." It is by Irish Act that the constitution of the future police force is to be determined, and that is claimed as belonging to the prerogatives of the Irish Legislature. Then the question is—How near can a central police force be made to a military force without coming actually within the term of a military force? It can be trained up to a degree that only a fortnight's more drill will constitute it a military force. It is not the actual training in the use of the musket that would constitute the danger of such a force. Thus, among many of the points that may arise between the British and the Irish Legislatures there may be one as to the definition of a military and of a police force. There is a violent controversy just now as to whether the present Constabulary is a military force or a civil force. The Bill, I am reminded, contains a proviso that the whole of the Royal Irish Constabulary is to cease to exist as a police force, and, possibly, the Irish Judges would argue from that phrase in the Bill that a force precisely constituted as the Royal Irish Constabulary is intended by the Government to be defined as a military force and not as a police force. If we put together the utterances of the three Cabinet Ministers who have addressed the Committee on the subject, it will appear that they agree that it is necessary to have "a central something." I call it that so

that the Prime Minister shall not say I am misrepresenting what was said. There is to be a central body. It may be drilled and it may be organised by "an Irish Act." Whether arms could be placed in their hands is the only point on which controversy would remain. But under the Bill you may have a force of 12,000 men organised with everything short of arms. I venture to think that neither the Prime Minister nor any of his Colleagues will venture to say that that is not authorised under the Bill.

MR. W. E. GLADSTONE: Totally unauthorised by the Bill.

\*MR. GOSCHEN: I will proceed by stages. The future force might be drilled like the Royal Irish Constabulary. Might it not be so drilled? The right hon. Gentleman does not deny that it might be drilled like the present force.

MR. W. E. GLADSTONE: In my opinion it cannot be so officered and drilled.

MR. GOSCHEN: I do not wish for the right hon. Gentleman's opinion. I wish for the words in the Bill.

MR. W. E. GLADSTONE: Why did the right hon. Gentleman ask for my opinion if he did not wish for it?

\*MR. GOSCHEN: I make a present to the right hon. Gentleman of his rhetorical point. I wish for the right hon. Gentleman's opinion supported by words in the Bill. I can find no such words in the Bill. Having brought the argument to that point, I will leave it there, and will not insist that the Irish Government can put arms into the hands of the new force. I am, however, reminded that the Royal Irish Constabulary are drilled with ball cartridge. I must, therefore, again ask the right hon. Gentleman whether the Royal Irish Constabulary is or is not to be the model for the future police force of Ireland? I maintain that unless the Amendment is accepted there is nothing in the Bill to prevent it. I admit that the Prime Minister did not intend that the future police force of Ireland to be like the present Royal Irish Constabulary. We have suggested a method by which that can be prevented, and we ask him to accept it.

SIR H. JAMES: Unless we have misinterpreted the meaning of the Prime Minister, there is nothing between him

and us but a matter of construction. I understood the Prime Minister to say that in his view there should not be a central armed force in Ireland, and the right hon. Gentleman took the view that this had been carried into effect by the Amendment which prevented military forces being employed by the Irish Executive, and that they cannot have a central armed force because they cannot have a military force. But a military force must be under the provisions of the Mutiny Act. The present Constabulary, however, are not under Military Law. They are, however, armed with muskets, and undergo target practice and the same drilling as military forces. What is to prevent the new force which is to come into existence being armed up to the point of the present Constabulary? Nobody thinks that such a force would come under the Mutiny Act; and, therefore, though armed, they will not be a military force. Such a force will not be forbidden by this Amendment. If the Amendment covers the police armed force, this Amendment is out of Order; but the Chairman has said that the military force will not cover the police armed force. On the construction of this Act, after these two forces have ceased to exist, the Executive Government in Ireland, not the Lord Lieutenant representing the British Ministry, but the new Executive, with the Lord Lieutenant under their power, will be able to bring armed men into existence, to keep them in barracks, to send them to Ulster or to any portion of the country, and as long as they are kept out of the Mutiny Act they will be a powerful armed force, to be used by the Irish Executive for any purpose they may think proper.

MR. MACARTNEY (Antrim, S.) asked the Prime Minister whether, if Clause 30 were not in the Bill, the words "military forces" would, in his opinion, include the Royal Irish Constabulary? He also wished to know whether the future Government in Ireland was to be unable to establish for purely local purposes a force similar to that which the Canadian Government had established in Canada, and to that which had been established in Cape Colony. If a central police force was to come into existence, he could not understand what good it would be if it was not to be an effective police force; and no one who knew any-

thing of Irish social life, altogether apart from the controversy raging round this Bill, could for a moment imagine that a central force, without effective arms to aid it, would be of any assistance to the Executive in Ireland.

MR. W. E. GLADSTONE: I do not think that the hon. Member has made it quite clear what it was he wished a reply to; but I will give an answer as clearly as I can to what I conceive to be the main question now at issue as far it admits of a perfectly definite reply. I differ from the doctrine laid down by the hon. Member that the central force in Ireland made available for meeting the special police exigencies of particular districts must necessarily be a force with military organisation or anything approaching to it. In England we know nothing of this. I am not aware that the police force of the Metropolis has more of a military organisation than the rest of the country; and my wish is that no strong distinction should be drawn between any central force in Ireland, if it is found to be necessary, and the local police force. The question is, What is really a military and what is really a police force? With respect to a clearly police force, my desire is that the discretion of the Irish Legislature should remain quite unfettered. With regard to an armed force, I should have been ashamed of myself if I had assented either to the original words as to the prohibition of a military force, or to the extension of the words which have been accepted this evening, if I had had in my mind the belief that some not properly police force, but a semi-military force, was to be within the competency of the Irish Executive. It is very difficult to be precise. Some hon. Members have said that the Constabulary is virtually a military force; others say that it is not. But I put aside the illustrations of the last speaker taken from Canada and the Cape. I know the case of the Cape pretty well. The force there is not intended for ordinary police purposes; I apprehend that the police at the Cape—the Cape Mounted Rifles, as they are called—are intended for dealing with disturbances on the frontier. In Canada there are the aborigines, and at the Cape there are the frontier tribes. There is nothing analogous to this state of things in Ireland; and the intention is



that there should be at the disposal of the Irish Legislature nothing but a properly constituted police force. Next, with respect to arms. So far as arms are by usage and understanding within the true, genuine meaning of the ordinary police force, they are not entirely excluded. They may be used with certain limitations of which I cannot give a technical account. I am not aware that there is any legal definition on which I can fall back and draw a line between police and military forces; but I think that the Committee understand it. I should think, however, that within the bosom of a civilised community the case of the Irish Constabulary comes within the category of the most doubtful of any that have ever fallen under my notice. The question might then be asked—"Do you conceive that it ought to be within the attributes of the Irish Legislature, which you have disabled from establishing any description of military force, to establish a force like the Irish Constabulary?" I admit that I am not well-informed as to the facts, but my recollection is pretty distinct that the Irish Constabulary as it is has been greatly altered since its first foundation. At that early stage in its history it was almost absolutely a civil force; but in 1859 and 1855 measures were proposed and taken for the purpose of giving a more military character to the Irish Constabulary, in view of the possibility of invasion. The right hon. Gentleman said the Irish Constabulary was not a military force; and, for myself, I frankly own I do not think the Irish Legislature ought to be in a position to re-create the Irish Constabulary. Such as it is, whether it is to be described as a civil or a military force, it appears to me to be beyond the attributes of a Local Legislature, working for local purposes, having, of course, the resource of the military, and at the discretion of the Executive, in case of need, to create such a force. I regard it as an admirable force, but abnormal in many of its conditions, and, as such, not lying within the proper attributes of a Local Legislature. In these circumstances, I hope the Amendment will be withdrawn.

MR. J. CHAMBERLAIN: The speech to which we have just listened shows the extreme importance of the discussion and its bearings. I do not

think anything could be more explicit or satisfactory than the declarations of the Prime Minister, and now we can see very clearly the point at issue, if, indeed, there remains any point in issue at all. The right hon. Gentleman desires that the Irish Legislature should be able to establish, in its discretion, if it finds it to be necessary, a small civil force to aid in the preservation of order. [MR. W. E. GLADSTONE: Hear, hear!] I submit to the right hon. Gentleman that it would be very difficult to foresee the circumstances under which the constitution of such a force will be necessary. Of course, British troops will be in Ireland to assist in maintaining order. In this country the only force which the British Government have at their disposal is the Metropolitan Police; and I have always understood that my right hon. Friend would desire that the Metropolitan Police should be transferred to the Local Authority. If it is unnecessary for the Imperial Parliament to have an Executive force of this kind, I cannot think it is important to preserve to the Irish Legislature the right of creating such a force. In any case, supposing it is desirable to leave to the Irish Legislature this power of creating a civil force, let the Committee consider what kind of force, according to the right hon. Gentleman's declaration, it is that they will be entitled to constitute. It is not to be a military organisation; it is not to be an armed force; it is to be, properly speaking, a police force, but it is not to be a re-creation of the Irish Constabulary.

MR. W. E. GLADSTONE: Further than an ordinary police force.

MR. J. CHAMBERLAIN: Yes; but perhaps the right hon. Gentleman is not familiar with the constitution of police forces, which are armed in some cases with bayonets, and in some with revolvers, and in all cases with truncheons. What the right hon. Gentleman means probably is that it is to be a force whose arms are to be such as not to enable it to become a military force in the ordinary acceptance of the word. I doubt very much whether it is necessary to give the Irish Legislature such a power; but if it is limited and restricted in the manner proposed, I, for one, should not think that it could, in any circumstances, be seriously mischievous. Can the right hon. Gen-

*Mr. W. E. Gladstone*

tleman point to any clause or proposed Amendment which will prevent the Irish Parliament from creating under the name of a central civil force a force which will have a military organisation, and be an armed force according to his own definition? This is really the whole point at issue. As the Bill is drawn, even with the addition of this Amendment, there is nothing to prevent the formation of a force which might hold its own against a regiment, or, if it were sufficiently extended, against any number of British regiments. The right hon. Gentleman said he did not intend it should be possible for the Irish Legislature to re-create the Irish Constabulary, because it was to all intents a thoroughly military organisation. How does this Bill prevent the Irish Legislature from re-creating the Irish Constabulary? I am obliged to ask my right hon. Friend that question. What power is there in the Bill to prevent it?

MR. W. E. GLADSTONE: I understand that we are to take the case of the Irish Legislature creating a central force, which is virtually to be a military force. My answer is this—that there is ample and sufficient provision in the clause to render that illegal. But that is not my full answer. The Irish Constabulary, I apprehend, is created by an Act, and any force which is to take its place must be created by an Act. It will not be possible to do that except by an Act. It will be the duty of the Viceroy to examine every Act and see that it does not establish any force of the kind. I have noticed that this is one of a set of suspicious injurious to Ireland and her Representatives here. [*Laughter.*] So much as this is due to our Colleagues in this House, and I am not ashamed to confess—I will not say that I am angry, because I am not angry—but I confess I am grieved to the heart by ridicule of this kind. I entirely disclaim, because I never entertained, the suspicions to which I refer.

MR. J. CHAMBERLAIN: My right hon. Friend has a little misunderstood the interruption to which he has referred. It did not proceed from this quarter, but I think my right hon. Friend misunderstood the intention. There was no intention to cast disparaging suspicions on the Irish people or their Representatives. No, not at all; in no sense more dis-

paraging than those cast by the provisions of this Bill. My right hon. Friend originally of his own motion prohibited the Irish Legislature from creating military or naval forces. He has now most willingly accepted an Amendment extending that provision to Volunteers and to all other military forces. In refusing to the Irish Legislature the power of creating a military force there is no intention of throwing disparaging suspicions on the Irish people and their Representatives.

MR. W. E. GLADSTONE: I take not the slightest exception to what he is saying; from his point of view it must necessarily be said, but it was to provide for the necessities of our position that made me appear to adopt these suggestions.

MR. J. CHAMBERLAIN: I think we are substantially agreed; at all events, whatever our motives may be, we are agreed as to the propriety of prohibiting the Irish Parliament from establishing any kind of military force. Now, the answer my right hon. Friend made just now was that first, in his opinion, the Amendment he has just accepted would prevent the re-creation of the Irish Constabulary. That is, to a large extent, a legal question that I am not competent to deal with; but my right hon. Friend by my side (Sir Henry James) assures me that provision about a military force would not be sufficient to prevent it being perfectly legal for the Irish Legislature to establish a force precisely similar to the Royal Irish Constabulary. My right hon. Friend then says—"Your second security is that such a force might require an Act of Parliament."

MR. W. E. GLADSTONE: "Would."

MR. J. CHAMBERLAIN: I do not know that it is positively so; the only way it would require an Irish Act is that it would ultimately require an Irish Appropriation Act to pay the expenses of the force; but I doubt if it would require an Act to provide for the constitution. That might be an Executive act which would not necessarily require an Act of the Legislature until the payment came to be made. But surely in a matter of this importance—and again I thank my right hon. Friend for appreciating my point of view—in a matter of this importance, from my point of view, we

ought not to rest on that veto of the Viceroy, especially if we do not put the restrictions into the Bill. This will be purely an Irish affair, in which the Irish Viceroy will be advised by the Irish Government. I know that, although he will be advised by them, he will be subject to the instructions of Her Majesty ; so that advised in the first instance by the Irish Government in one sense, it may happen, if the British Ministers advise Her Majesty, he may be instructed in an opposite sense by Her Majesty. Surely the plainest and simplest way to avoid subsequent irritation and difficulty would be to put it into the Bill. I am obliged now to put the question from my point of view, which my right hon. Friend does not share. My point of view is this : that when you create a separate Legislature in Ireland you are creating a subordinate Parliament that will always desire to become co-ordinate, and would seek to exercise pressure for that purpose. You have the experience of Grattan's Parliament and the Irish Parliament preceding Grattan's Parliament. You would have Volunteers or some other nominally civil force, but which is virtually a military force, and they would put on you pressure to exact fresh concessions. That is my fear. The difficulty will arise when you yourselves are in a condition least able to meet it. I say, therefore, you ought from the first to make clear in this Bill that the establishment by the Irish Legislature of any force which can by any possibility be used hereafter as a military engine against this country is to be prohibited ; but it is not prohibited in this Bill. My right hon. Friend says he thinks it is, but I do not think any lawyer will say so. At any rate, I will put it this way—that if any lawyer can be found who will say it is prohibited it will be easy to find another who would say it was not.

MR. W. E. GLADSTONE : I have already stated we are quite willing to reconsider the framing of the sub-section we have just passed—of course, it can only be done at a future stage of the Bill—so that any doubt shall be removed.

MR. J. CHAMBERLAIN : I will say at once, if I understand my right hon. Friend's last statement, that will be satisfactory to me. I understood him before

to say that, in his opinion, there was no necessity for any further words.

MR. W. E. GLADSTONE : I am consenting to put them in, but my opinion holds just the same.

MR. J. CHAMBERLAIN : I hope my interpretation is right, but I do not want any misunderstanding at a subsequent stage. It appears to me that on this matter we are agreed as to what we want. My right hon. Friend thinks it is provided for—I think it is not, and, as I understand him, he says—"Very well, in order to meet your scruples I will be induced at another stage to add words that will make our meaning perfectly clear." If that is so, I withdraw any further opposition.

MR. A. J. BALFOUR (Manchester, E.) : As I understand the right hon. Gentleman—I did not hear the whole of the conversation that took place between the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) and the Prime Minister—but, as I understand, the Government pledge themselves to bring in words that shall absolutely exclude from the new Irish Legislature the right to create any force at all analogous to the Royal Irish Constabulary. The Government are not prepared to bring those words up at present, as they require consideration, and they therefore ask for time, but make a pledge that they will, at a subsequent stage, frame the requisite Amendment. That being the view of the Government, I would recommend my hon. Friend to withdraw his Amendment, and we might then proceed with the Bill.

MR. W. E. GLADSTONE : With regard to the engagement, what I said was that we pledged ourselves to bring up words ; but they must be subject to communication with the view of a friendly understanding being arrived at. That is what we desire, but as it would be unusual that after several hours' discussion no progress should be made, I would suggest that the Amendment be negatived.

MR. A. J. BALFOUR : I think the course the right hon. Gentleman suggests rather unusual ; but I dare say my hon. Friend will be satisfied with the substantial victory he has gained. I should recommend him not to put the Committee to the trouble of a Division, as he has

*Mr. J. Chamberlain*

practically extorted from the Government all he desires.

Question put, and negatived.

\*THE CHAIRMAN: The next Amendment standing in the name of the hon. Member for Lichfield (Major Darwin) is out of Order; the one after that is in Order.

MR. PARKER SMITH (Lanark, Partick) begged to move the Amendment standing in his name. The force of the Amendment would be recognised by the Chancellor of the Duchy (Mr. Bryce), as it was derived from the Constitution of the United States, being part of Section 8 of the First Article of that Constitution.

Amendment proposed,

In page 2, line 1, after "realm," insert "or forts, permanent military camps, magazines, arsenals, dockyards, and other needful buildings, or any places purchased for the erection thereof."—(Mr. Parker Smith.)

Question proposed, "That those words be there inserted."

MR. W. E. GLADSTONE: There is no necessity for the Amendment, as all matters connected with the defence of the realm are already reserved under the Bill. I think the hon. Member should have given us notice of these words.

MR. PARKER SMITH said, the words of the Amendment had been standing on the Paper a great many days.

MR. W. E. GLADSTONE: I made no charge against the hon. Member; I merely said these words are in reference to the American Constitution, and we have not the Article before us.

MR. DUNBAR BARTON (Armagh, Mid) earnestly hoped his hon. Friend would not withdraw these words, and he would very soon show the Prime Minister that these words were not covered by the words "defence of the realm," because it was a recognised fact now that these forces of the Crown were to be used in Ireland, not for the defence of the realm, but for the coercion of Ulster. The Prime Minister rested his whole argument on the plea that it would be necessary to have a centralised police for dealing with Belfast; he said it might be necessary to have a Central Body, perhaps in the County of Dublin, which, under exceptional circumstances, should deal with the Province of Ulster.

MR. W. E. GLADSTONE: No; I did not say that.

MR. DUNBAR BARTON said, the right hon. Gentleman used the words "for Belfast;" he would not deny that. [*Cries of "Divide!"*] Hon. Members seemed to think that the Representatives of the loyal minority in Ireland must not say anything, and he ventured to say they had been singularly scrupulous not to speak too often.

MR. J. MORLEY: I hope the hon. and learned Gentleman will allow me to interrupt him for a moment. We are quite prepared to accept the words of the hon. Member. He has added words of his own—namely, "permanent military camps," and two words at the end; but they do not materially alter the effect of what we desire to have. Though we do not think the words necessary, we are perfectly willing to accept them.

MR. T. M. HEALY would like to know whether the words "other needful buildings" occurred in the Article of the American Constitution? At the present moment the Corporation of Dublin, for purposes of a main drainage scheme, were in communication with the Military Authority. He did not know the meaning exactly of "other needful buildings;" but he sincerely trusted the American Constitution was not going to be set up to prevent them from draining Dublin.

MR. PARKER SMITH said, the words "other needful buildings" were in the Article of the American Constitution. He had forgotten that he had introduced three words into the Amendment that were not in the Article, and they were the words "permanent military camps." The words of the Constitution were—

"To exercise direct authority over all places purchased with the consent of the Legislature and the State for the erection of forts, magazines, arsenals, dockyards, and other needful buildings."

MR. T. M. HEALY suggested that on the Report stage these words should precede the words "defence of the realm."

MR. SEXTON thought it was perfectly clear that while there might be some context to the general language of the constitution, as they stood here the words were nonsense. The words must either come out or be brought in

in connection with something to show the nature of the need.

Question put, and agreed to.

\*THE CHAIRMAN: The next Amendment, in the name of the noble Lord the Member for Brixton (Lord Curmarthen), is no longer in Order; but the first in order is in the name of the hon. Member for Walthamstow (Mr. Byrne).

\*MR. BYRNE (Essex, Walthamstow) said, his only object in putting down the Amendment standing in his name and certain other Amendments upon the Paper was to endeavour to improve the Bill in case it should ever, which he sincerely hoped it would not, become an Act of Parliament. In point of fact, these Amendments were really forced upon them by reason of the framing of the Bill. The Bill as it now stood, and had been accepted so far, was framed on the lines of conferring all powers except such as were expressly mentioned, instead of being framed on the footing of enumerating those powers which were intended to be delegated. The consequence of that was, as the Prime Minister himself said the other night, it was possible that something might have been left out that ought to have been inserted, and, for his (Mr. Byrne's) part, he ventured to say that a very large number of subjects had been omitted. He had selected certain of them that he considered very important, and he had selected some because he thought they served to illustrate the necessity for a general exception at the end of the clause. With regard to the particular Amendment which he had put first on the Paper, after the discussion which had taken place to-night, he really hoped it would be accepted, as soon as he had explained it, without much discussion. The Amendment proposed to withdraw from the Irish Legislature the power of making laws, regulating the carrying and using arms, armed associations, and associations for drill or practice in the use of arms. If he was right in the view he took of these matters they could not have a more Imperial subject than this one. By using the word "Imperial," he used it in this sense: that he regarded these exceptions as being meant to be exceptions of Imperial questions, Imperial questions

*Mr. Sexton*

being those which were so intimately bound up with the welfare of the whole State, that they could not pass a law applicable to Ireland in respect to it which should not strike at the interests of this country. The Amendment as it stood—first with reference to the carriage of arms; and, secondly, as it stood with reference to armed associations and associations for drill—differed, to some extent, in the two categories. They knew there was special legislation in Ireland, particularly with reference to dangerous associations; and as he understood the feeling of some hon. Members of the Party opposite, their notion was that after the passing of this Act the Irish Legislature should not have power to do away with special laws, which had been found necessary in Ireland from time to time. An entirely different question was the question whether they would allow the law which had been considered necessary for the well-being of the country, so far as Ireland was concerned, to be abolished if the Irish Legislature so thought fit immediately after the passing of this Bill into law. With regard to the carrying and using arms, he proposed to ask the attention of the Committee to the law as it stood with reference to Great Britain as distinguished from special law. The law relating to carrying arms now stood in England upon the old Statute, commonly known as the Statute of Northampton, passed in the reign of Edward II. The 3rd section of the Statute was worth consideration.

It being Midnight, the Chairman left the Chair to make his report to the House.

Committee report Progress; to sit again To-morrow, at Two of the clock.

#### CONSOLIDATED FUND (No. 2) BILL.

##### COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Question, "That Clause 1 stand part of the Bill," put, and agreed to.

Question proposed, "That Clause 2 stand part of the Bill."

MR. BARTLEY said, he would like to ask the Financial Secretary to the Treasury (Sir J. T. Hibbert) whether

it was necessary to keep to the 5 per cent. rate, and whether the time had not come to make an alteration in the amount given in the Bill which, as they knew, was a sort of index to the rate of interest?

THE SECRETARY TO THE TREASURY (Sir J. T. HIBBERT, Oldham) said, he would consider the matter. At present he was not in a position to answer the hon. Member.

MR. BARTLEY said, he hoped the matter would be considered in connection with the next Bill.

Bill reported, without Amendment; to be read the third time To-morrow, at Two of the clock.

PRISON (OFFICERS' SUPERANNUATION)  
(No. 2) BILL.—(No. 359.)

COMMITTEE. [*Progress, 29th May.*]

Order for Committee read.

MR. GIBSON BOWLES (Lynn Regis) objected to the stage being taken.

MR. ASQUITH said, there was only one clause of the Bill remaining for discussion, and as the measure was non-controversial, he hoped the objection would not be persisted in.

MR. GIBSON BOWLES said, he must press his objection.

Committee deferred till To-morrow, at Two of the clock.

SEA FISHERIES REGULATION (SCOTLAND) BILL.—(No. 244.)

COMMITTEE.

Order for Committee read.

SIR H. MAXWELL (Wigton) wished to ask whether the Secretary for Scotland would consider, before the Committee stage came on the Report of the Committee over which he (Sir H. Maxwell) had presided, as to incorporating in the Bill some of that Committee's recommendations?

THE SECRETARY FOR SCOTLAND (Sir G. TREVELYAN, Glasgow, Bridgeton) said, he was willing to consider these recommendations, but there were some which he took exception to, though there were others which he thought valuable.

MR. ANSTRUTHER (St. Andrews, &c.) asked, would it be possible to put down the Committee stage of the Bill for

certain nights—say, Mondays and Thursdays—so that Scottish Members would not be detained night after night to watch for it?

THE SECRETARY TO THE TREASURY (Mr. MARJORIBANKS, Berwickshire) said, the Bill would be put down at every convenient opportunity to facilitate discussion.

Committee deferred till Monday next.

ELEMENTARY EDUCATION (SCHOOL ATTENDANCE) BILL.—(No. 24.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR J. LUBBOCK (London University) said, the Bill dealt with an important question, and if it were to be discussed, it should be put down for some day, when it could be dealt with in an adequate manner.

MR. MARJORIBANKS said, no arrangement was possible, as the date of Public Business did not permit.

Second Reading deferred till Monday next.

STATUTE LAW REVISION (No. 1) BILL  
(No. 282.)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. GIBSON BOWLES objected.

SIR E. CLARKE appealed to the hon. Member to withdraw his objection. The Bill was one of great importance, and the public were deeply interested in its passing.

MR. GIBSON BOWLES said, he must object to any legislation at that time of the night—after 12 o'clock.

MR. CONYBEARE (Cornwall, Camborne) said, he had to ask Mr. Speaker, had they no power to prevent this wholesale obstruction?

MR. T. M. HEALY: I understand the hon. Member is the slave of duty.

MR. GIBSON BOWLES: The hon. Member is quite right.

MR. W. E. GLADSTONE: I am surprised at the hon. Member resisting the appeal from a high authority on his own side of the House, and I would put it to him whether he is using the power which the House has given to single Members to object in its spirit and intent? If the hon. Member objects simply because it is past 12 o'clock he is impeding the Business of the House by acting in controvention of the Rule of the House.

MR. GIBSON BOWLES said, he could assure the right hon. Gentleman that he valued his authority as highly as that of any one on his own side of the House, but he believed he was acting in the spirit and intent of the Rule, which was passed for the purpose of preventing hasty legislation, and, inasmuch as this was a Government Bill, and the Government had taken up the whole time of the House, he submitted it was not fair to pass it in a few seconds. It might, at least, be properly explained.

MR. WOOTTON ISAACSON (Tower Hamlets, Stepney) said, that he had attended in his place night after night in charge of two Bills that had passed the Committee stage and—

MR. SPEAKER: The hon. Member is scarcely in Order.

MR. CONYBEARE asked whether the difficulty could not be got over by a ruling that the hon. Member for King's Lynn was abusing the Forms of the House? He would ask that especially in reference to Order No. 5, the Prison (Officers' Superannuation) Bill, with which the hon. Member had nothing to do.

\*MR. SPEAKER: I cannot say that the hon. Member is out of Order, but it is my duty to observe that the power of objecting after 12 o'clock ought to be used with some discrimination and discretion, because I foresee that the time is coming when some change will have to be made to prevent objections which are made indiscriminately.

SIR A. ROLLIT (Islington, S.) said, he hoped the hon. Member would withdraw his objection. As a lawyer, he knew how desirable it was that the measure should pass. It was not a Bill that could be discussed profitably in the House. It was a subject for experts.

SIR J. LUBBOCK said, he also hoped the hon. Member for King's Lynn would withdraw his objection. The power of

objection after 12 o'clock was very valuable to private Members, and if the privilege was abused it might be withdrawn.

\*MR. STUART-WORTLEY (Sheffield, Hallam) said he would point out that the Standing Order laid down that what could not be taken after 12 o'clock was Opposed Business. The hon. Member for King's Lynn had given express notice to the House that his objection was not dictated by opposition to this particular Bill. In these circumstances, was his opposition an opposition at all?

\*MR. SPEAKER: The hon. Member used the words "I object," and that amounts to opposition under the Standing Order.

MR. BARTLEY wished to add his appeal to those which had already been made.

MR. T. M. HEALY: Hanbury, Hanbury [referring to Mr. Hanbury, the hon. Member for Preston].

MR. BARTLEY said, the measure, which was of a highly technical nature, ought not to be opposed.

MR. GIBSON BOWLES said, he felt like a lady who had too many suitors for her hand. He had objected because he knew nothing about the Bill, and had had no opportunity of acquiring any knowledge of it. However, as he saw that it came from another place—the Chamber for which the Prime Minister had so great a regard—he would withdraw his objection.

Motion agreed to.

Bill read a second time, and committed for To-morrow, at Two of the clock.

#### CROFTERS' HOLDINGS (SCOTLAND) ACTS AMENDMENT BILL.—(No. 236.)

##### SECOND READING.

Order for Second Reading read.

Objection being taken,

\*MR. WEIR (Ross and Cromarty) said, he hoped the objection would be withdrawn.

Second Reading deferred till To-morrow, at Two of the clock.

**ARBITRATION ACT (1889) AMENDMENT BILL.—(No. 300.)**

**SECOND READING.**

Order for Second Reading read.

Objection being taken,

**MR. W. F. LAWRENCE** (Liverpool, Abercromby) hoped no objection would prevent the progress of this Bill. It was a very simple measure brought in to amend the Act of 1889 in a very simple point—that of having three Arbitrators instead of two.

**MR. GIBSON BOWLES** said, he must object.

Second Reading deferred till To-morrow, at Two of the clock.

**WATERMEN'S AND LIGHTERMEN'S ACTS AMENDMENT BILL.—(No. 52.)**

**SECOND READING.**

Order for Second Reading read.

**MR. WOOTTON ISAACSON** said, the Bill had made very good progress every year, and he was anxious it should now pass the Second Reading, and be referred to a Select Committee.

An hon. MEMBER said, he objected, not because of the hour at which the Bill was taken, but because he had read its provisions, and considered them most objectionable.

**MR. GIBSON BOWLES** also objected.

Second Reading deferred till To-morrow, at Two of the clock.

**BARGE OWNERS' LIABILITY BILL (No. 169.)**

**SECOND READING.**

Order for Second Reading read.

**MR. GIBSON BOWLES** objected.

**MR. WOOTTON ISAACSON** said, the Bill was practically part of the last one.

Second Reading deferred till To-morrow, at Two of the clock.

**HOUSING OF THE WORKING CLASSES (EDINBURGH) PROVISIONAL ORDER BILL.—(No. 347.)**

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

VOL. XII. [FOURTH SERIES.]

**PIER AND HARBOUR PROVISIONAL ORDERS (No. 3) BILL.—(No. 342.)**

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

**PIER AND HARBOUR PROVISIONAL ORDERS (No. 4) BILL.—(No. 354.)**

Reported, with Amendments [Provisional Orders confirmed]; as amended, to be considered To-morrow.

**ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 4) BILL.—(No. 319.)**

Reported, without Amendment [Provisional Orders confirmed]; to be read the third time To-morrow.

**RAILWAY RATES AND CHARGES PROVISIONAL ORDER [CRANBROOK AND PADDOCK WOOD RAILWAY, &c.] BILL.—(No. 339.)**

Reported, without Amendment [Provisional Order confirmed]; Report to lie upon the Table, and to be printed.

Bill to be read the third time To-morrow.

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 4) BILL.—(No. 345.)**

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

**LOCAL GOVERNMENT (IRELAND) PROVISIONAL ORDER (No. 5) BILL.—(No. 346.)**

Reported, without Amendment [Provisional Order confirmed]; to be read the third time To-morrow.

**MESSAGE FROM THE LORDS.**

That they have agreed to,—Metropolitan Commons Provisional Order [Orpington] Bill. Amendments to Amendments to—Police Acts Amendments Bill; Public Libraries Act (1892) Amendment Bill, without Amendment.

**MESSAGE TO THE LORDS.**

Railway Rates and Charges,—Ordered, That a Message be sent to the Lords, to request that their Lordships will be pleased to give leave to the Lord Balfour of Burleigh to attend to be examined as a Witness before the Select Committee on Railway Rates and Charges.—(*Mr. Shaw Lefevre.*)



## COLONIAL TRUSTS BILL.

Order for Second Reading upon Monday next read, and discharged.

Bill withdrawn.

PROVISIONAL ORDER BILLS [*Lords*]

STANDING ORDER APPLICABLE THERETO  
COMPLIED WITH.

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, originating in the Lords, and referred on the First Reading thereof, the Standing Order which is applicable thereto has been complied with, namely, Oyster and Mussel Fishery Provisional Order Confirmation Bill [*Lords*.]

Ordered, That the Bill be read a second time To-morrow.

## PROVISIONAL ORDER BILLS.

STANDING ORDER APPLICABLE THERETO  
COMPLIED WITH.

MR. SPEAKER laid upon the Table Report from one of the Examiners of Petitions for Private Bills, That, in the case of the following Bill, referred on the First Reading thereof, the Standing Order which is applicable thereto has been complied with, namely, Metropolitan Police Provisional Order Bill.

Ordered, That the Bill be read a second time To-morrow.

## ARMY (MILITARY SAVINGS BANKS).

Account presented,—of the Amount due by the Public to Depositors in Military Savings Banks on 31st March

1891, and of the Receipts, Interest, and Disbursements during the year ended 31st March 1892, &c. [by Act]; to lie upon the Table.

## IRISH LAND COMMISSION (PURCHASE OF LAND (IRELAND) ACT, 1891).

Copy presented,—of Return of Advances under the Act to the 31st March 1893 [by Act]; to lie upon the Table.

## SUPERANNUATION ACT, 1884.

Copy presented,—of Treasury Minute, dated 13th May 1893, declaring that William Elliott, Office Messenger, Veterinary Department of the Office of the Chief Secretary for Ireland, was appointed without a Civil Service Certificate, through inadvertence on the part of the Head of his Department [by Act]; to lie upon the Table.

## RUSSIA (No. 1, 1893).

Copy presented,—of Correspondence respecting an Agreement for the protection of Russian Sealing Interests in the North Pacific Ocean during the year 1893 [by Command]; to lie upon the Table.

## TRADE REPORTS (ANNUAL SERIES).

Copies presented,—of Diplomatic and Consular Reports on Trade and Finance, Nos. 1208 to 1215 (Africa, France, China, Spain, Italy) [by Command]; to lie upon the Table.

House adjourned at twenty-five minutes  
after Twelve o'clock.

[INDEX.]

# I N D E X

TO

## THE PARLIAMENTARY DEBATES

(AUTHORISED EDITION).

### VOLUME XII. FOURTH SERIES.

FIFTH VOLUME OF SESSION 1893.

#### EXPLANATION OF ABBREVIATIONS.

Bills, Read 1<sup>st</sup>, 1<sup>o</sup>, 2<sup>d</sup>, 2<sup>o</sup>, 3<sup>d</sup>, 3<sup>o</sup>.  
Read the First, Second, or  
Third Time.  
1R., 2R., 3R. Speech de-  
livered on First, Second,  
or Third Reading.  
Adj. Adjourned.

A. Answers.  
c. Commons.  
Com. Committee.  
com. Committed.  
Intro. Introduction.  
l. Lords.  
Obs. Observations.

Pres. Presented.  
Q. Questions.  
Rep. Reported.  
R.P. Report Progress.  
Reso. Resolutions.

The subjects of Debate, as far as possible, are classified under General Headings: *e.g.*,

AFRICA  
ARMY  
BOARD OF AGRICULTURE  
BOARD OF TRADE  
CIVIL SERVICE  
COLONIES  
CUSTOMS, EXCISE AND IN-  
LAND REVENUE

EDUCATION  
INDIA  
IRELAND  
LABOUR DEPARTMENT  
LAW AND JUSTICE AND  
POLICE  
LOCAL GOVERNMENT BOARD  
MERCHANT SHIPPING

METROPOLIS  
NAVY  
PARLIAMENT  
POST OFFICE  
SCOTLAND  
SUPPLY  
WALES

**A**BERDARE, Lord  
Sale of Intoxicating Liquors (Ireland)  
Bill, 2R. 186

*Acheenese, Dutch Operations against*  
Q. Mr. G. Bowles; A. Sir E. Grey May 30,  
1842

ACLAND, RIGHT HON. A. H. D.,  
(Vice President of the Council on  
Education), *York, W.R., Rother-*  
*ham*

Bangor College, 636  
Birkenhead, Free Education in, 628  
Catholic Schools, Free Education in, 768  
Educational Statistics, 638  
Elementary Education (Blind and Deaf  
Children) Bill, Intro. 1692

VOL. XII. [FOURTH SERIES.] [*cont.*]

ACLAND, Right Hon. A. H. D.—*cont.*

Evening School Code, 1270  
Grants, Irregular, 1540  
Intermediate Education in Wales—Carnarvon  
Scheme, 454  
Ireland—Science and Art Schools under  
Home Rule, 1544  
Museums—Provisional Grants in Aid, 1267  
National Education Association, 201  
National School Windows, 1234  
Norton Canes School, 635  
Pimlico—Free Education Accommodation, 60  
School Sanitation, 192  
South Kensington Museum — Mr. Frank  
Buckland's Collection, 1263  
Statistics, 638  
Supply  
Education—Departmental Circular, 1619,  
1621  
Science and Art Buildings, 1311, 1322

ACLAND, Right Hon. A. H. D.—*cont.*

Technical Education and Trade Unions, 1234  
Thornhill Lees National School, 1768  
Village Schools—Head Teachers, 644  
Walsall Bluecoat School, 1750

ACTON, Lord

Cholera Hospitals (Ireland) Bill, 3R. 1017  
County Surveyors (Ireland) Bill, 2B. 754  
Official Liquidators (Ireland) Bill, Com. 171,  
175

ADDISON, Mr. J. E. W., *Ashton-under-Lyne*

Company Law, 924

*Advertisements on Agricultural Lands*

Q. Mr. Boulnois; A. Mr. Gardner *June 1*,  
1729

#### AFRICA

*Delagoa Bay Railway*, Q. Mr. Quilter; A.  
Sir E. Grey *May 4*, 54

*East Africa Company and Runaway Slaves*,  
Qs. Mr. T. Bayley; As. Sir E. Grey *May 8*,  
331; *May 12*, 1425

*Mashonaland Development (Willoughby's)*  
*Company*, Q. Mr. Labouchere; A. Mr. S.  
Buxton *May 4*, 70

*Natal—Responsible Government*, Q. Mr.  
Wolehouse; A. Mr. S. Buxton *May 12*,  
785; Q. Mr. H. L. Lawson; A. Mr. S.  
Buxton *June 1*, 1756

#### SWAZILAND

*Affairs of*, Debate on, *May 4*, 131

*Sir H. Loch and President Krüger*, Q.  
Baron H. De Worms; A. Mr. S. Buxton  
*May 16*, 1050

#### UGANDA

*Catholics in—Captain Macdonald's Re-*  
*port, &c.*, Q., Obs. Duke of Norfolk, Earl  
of Rosebery *May 15*, 885

*Sir G. Portal's Mission*, Qs. Mr. Labou-  
chere, Mr. Storey; As. Sir E. Grey *June 1*,  
1731

#### *Agricultural Depression*

Qs. Colonel H. Vincent, Mr. G. Bowles, Mr.  
Brookfield; As. Mr. Gardner *May 11*, 641;  
Q. Mr. Brookfield; A. Mr. Gardner *May 12*,  
782; Qs. Major Rasch, Mr. J. Lowther, Mr.  
T. M. Healy; As. Mr. W. E. Gladstone  
*May 12*, 788

#### AGRICULTURE, BOARD OF

President—Mr. H. GARDNER

*Advertisements on Agricultural Lands*, Q.  
Mr. Boulnois; A. Mr. Gardner *June 1*,  
1730

*Anthrax*, Qs. Colonel Lockwood, Sir H.  
Roscoe; As. Mr. G. Russell, Sir W. Foster  
*June 1*, 1728

*Board of Agriculture Publications*, Q. Mr.  
Luttrell; A. Mr. Gardner *May 5*, 198;  
Q. Mr. Leng; A. Mr. Gardner *May 18*,  
1242

*Canadian Cattle, Inspection of*, Q. Mr.  
Chaplin; A. Mr. Gardner *June 1*, 1750

[*cont.*]

## AMERICA—UNITED STATES—cont.

*Naval Review—Desertions from the British Squadron*, Q. Mr. Gourley; A. Mr. E. Robertson *May* 15, 901

*Postal Rates*, Q. Mr. H. Heaton; A. Mr. A. Morley *May* 4, 62

ANSTRUTHER, Mr. H. T., *St. Andrews, &c.*

Church of Scotland Bill, 1054

House of Commons—Sitting Accommodation, 130

Sea Fisheries Regulation (Scotland) Bill, Com. 1849

*Anthrax* (see *Agriculture, Board of*)

**Arbitration Act (1889) Amendment Bill**  
a. 2R. deferred *June* 1, 1853

ARGENTINE REPUBLIC—Mr. J. S. Balfour (see AMERICA, SOUTH)

ARGYLL, Duke of

Barbed Wire Fences Bill, 2R. 305

Indian Home Charges, Motion for Address, 882, 883

## ARMENIA

*Angora Trials*, Q. Mr. Weir; A. Sir E. Grey *May* 9, 454; Q. Sir G. Baden-Powell; A. Sir E. Grey *June* 1, 1742

*Bryce, Mr.—Speech by*, Q. Mr. G. Bowles; A. Mr. Bryce *May* 16, 1054

## ARMY

Secretary of State—Mr. CAMPBELL-BANNERMAN

Under Secretary of State—Lord SANDHURST

Financial Secretary—Mr. WOODALL

*Abbey Field, Colchester*, Q. Captain Naylor-Leyland; A. Mr. Campbell-Bannerman *May* 19, 1363

*Aluminium—Infantry Equipment*, Q. Mr. Hanbury; A. Mr. Campbell-Bannerman *May* 11, 623

*Arms, Periodical Inspections of*, Q. Mr. Hanbury; A. Mr. Campbell-Bannerman *May* 18, 1235

*Barracks—Woolwich*, Q. Mr. A. Smith; A. Mr. Campbell-Bannerman *May* 18, 1242

*Colonial Volunteer Decorations*, Q. Earl of Onslow; A. Lord Sandhurst *May* 15, 865

*Contracts—Torpedoes* (see title *Navy*)

*Cordite Powder*, Q. Mr. Hanbury; A. Mr. Campbell-Bannerman *May* 15, 911

*Crimean and Indian Mutiny Veterans' Pensions*, Q. Mr. Leng; A. Mr. Campbell-Bannerman *June* 1, 1726

*Discharged and Reserve Soldiers, Employment for*, Q. Sir J. Fergusson; A. Sir J. T. Hibbert *May* 4, 64; Q., Obs. Earl of Minto, Viscount Sidmouth, Earl of Wemyss, Lord Dorchester, Earl of Dundonald, Lord Sandhurst, Earl of Camperdown *May* 18, 1220

*Debate in Committee of Supply* *May* 29, 1471, &c.

[cont.]

## ARMY—cont.

*Hull Dock Strike, Military Forces at*, Q. Mr. K. Hardie; A. Mr. Asquith *May* 4, 60

## INDIA

*Field Artillery*, Q. Mr. Hanbury; A. Mr. Campbell-Bannerman *May* 9, 453

*Home Charges*, Motion for Address (Earl of Northbrook) *May* 15, 866

*Hospital Staff Allowances*, Q. Dr. Macgregor; A. Mr. G. Russell *May* 4, 66

*Officers at the Imperial Institute*, Q. Mr. Macfarlane; A. Sir W. Harcourt *May* 8, 331

*Officers' Furlough Pay*, Q. Sir S. King; A. Mr. G. Russell *May* 29, 1421

*Volunteer Decorations*, Q. Earl of Onslow; A. Lord Sandhurst *May* 15, 865

*Insubordination—Exaggerated Accounts of*, Q. Mr. Brookfield; A. Mr. Campbell-Bannerman *May* 8, 329

## IRELAND

*Belfast, Troops for*, Q. Mr. T. Lea; A. Mr. Campbell-Bannerman *May* 30, 1538

*Dublin Main Drainage Scheme*, Qs. Dr. Kenny, Mr. Field, Mr. W. Kenny; A. Mr. Campbell-Bannerman *May* 16, 1043

*Leinster Regiment at Aldershot—"The Queen and no Home Rule,"* Q. Mr. P. J. O'Brien; A. Mr. Campbell-Bannerman *May* 30, 1539

*Medical Staff Examinations*, Q. Dr. Kenny; A. Mr. Campbell-Bannerman *May* 12, 773; Qs. Dr. Kenny, Mr. Carson; A. Mr. Campbell-Bannerman *May* 16, 1047

*O'Keefe, Michael, Case of*, Q. Mr. Flynn; A. Mr. Campbell-Bannerman *May* 15, 898

*Tipperary Barracks*, Q. Mr. Field; A. Mr. Campbell-Bannerman *June* 1, 1759

*Lee-Metford Rifle*, Qs. Mr. Weir, Mr. Tomlinson; As. Mr. Campbell-Bannerman *May* 11, 638; Qs. Mr. Weir; As. Mr. Campbell-Bannerman *May* 12, 779; *May* 15, 911; *May* 18, 1261; Qs. Mr. Weir, Mr. R. G. Webster; As. Mr. Campbell-Bannerman *May* 19, 1369; Q. Mr. Weir; A. Mr. Woodall *June* 1, 1769

*Malta—Surgeon-Major-Generals Wade and Paterson*, Q. Dr. Macgregor; A. Mr. Campbell-Bannerman *May* 4, 73

*Medical Staff Examinations*, Q. Dr. Kenny; A. Mr. Campbell-Bannerman *May* 12, 773; Qs. Dr. Kenny, Mr. Carson; As. Mr. Campbell-Bannerman *May* 16, 1047

## OFFICERS

*Half-Pay Colonels*, Q. Sir F. Seager Hunt; A. Mr. Campbell-Bannerman *May* 18, 1244; Qs. Mr. P. Fitzgerald, Sir F. Seager Hunt; As. Mr. Campbell-Bannerman *May* 30, 1531

*Non-Commissioned Officers' Promotion*, Qs. Major Rasch; As. Mr. Campbell-Bannerman *May* 11, 622; *May* 19, 1357

*Pay Audits*, Q. Mr. Labouchere; A. Mr. Woodall *June* 1, 1770

*Pensions, Special Service*, Q. Colonel Kenyon-Slaney; A. Mr. Campbell-Bannerman *June* 1, 1726

4 E 2

[cont.]

## ARMY—cont.

## RATIONS

*Frozen Meat*, Qs. Mr. Hanbury ; As. Mr. Woodall *May* 5, 195 ; *May* 12, 779  
*Rations and Canteen Supplies, Purchase of*, Q. Mr. Beith ; A. Mr. Campbell-Bannerman *May* 16, 1042

## SCOTLAND

*Artillery Practice at Barry*, Q. Mr. Leng ; A. Mr. Campbell-Bannerman *May* 18, 1231  
*Palaces and Castles*, Debate on *May* 4, 143  
*Scottish Rifles at Aldershot, Attack on*, Qs. Captain Grice-Hutchinson, Mr. Macfarlane ; As. Mr. Campbell-Bannerman *June* 1, 1740  
*Seaforth Highlanders*, Q. Mr. Weir ; A. Mr. Campbell-Bannerman *May* 16, 1046  
*Small Arms—Assistant Inspectors*, Q. Mr. Hanbury ; A. Mr. Campbell-Bannerman *May* 11, 623  
*Smokeless Powder*, Q. Mr. Cust ; A. Mr. Campbell-Bannerman *May* 4, 74  
*Target Practice Seawards*, Q. Mr. Mildmay ; A. Mr. Campbell-Bannerman *May* 12, 785  
*Telegraph Messengers' Drill*, Qs. Mr. Bartley, Major Rasch, Mr. Cremer ; As. Mr. Campbell-Bannerman *May* 11, 637  
*Trooping of the Colours*, Q. Mr. Rees-Davies ; A. Mr. Campbell-Bannerman *June* 1, 1765

## VOLUNTEERS

*Colour-Sergeant Sleep*, Q. Mr. J. Rowlands ; A. Mr. Campbell-Bannerman *June* 1, 1730  
*Indian and Colonial—Decorations*, Q. Earl of Onslow ; A. Lord Sandhurst *May* 15, 865  
*Rifles*, Qs. Mr. Bartley, Major Rasch ; As. Mr. Campbell-Bannerman *May* 11, 637  
*Wages in Government Departments*, Q. Mr. J. Burns ; A. Mr. Campbell-Bannerman *May* 18, 1239

## Army (Military Savings Banks)

Account pres. *June* 1, 1855

## ARNOLD-FORSTER, Mr. H. O., Belfast, W.

Evicted Tenants (Ireland) Bill, 70  
 Government of Ireland Bill, Com., *Clause I.* 658 ; *Clause II.* 1073, 1075

## Ireland

Blood, Mr. Binden, Attacks on, 456  
 Boys' Training Ships, 1754, 1755  
 Clare, Kerry, and Limerick Counties, Crime in, Res. 1771, 1773, 1775, 1777, 1779, 1780, 1790  
 Cork County, Moonlighting in, 333  
 Killavullen, Boycotting at, 1048, 1049  
 Landford Estate Dispute, 331  
 Tulla—Outrage on a Horse, 644

Supply—Condition of Ireland, 1633, 1634

## ARRAN, Earl of

Sale of Intoxicating Liquors (Ireland) Bill, Com. 1213

## Artizans' Dwellings for London

Q. General Goldsworthy ; A. Mr. H. H. Fowler *May* 19, 1364

## ASHBOURNE, Lord

Barbed Wire Fences Bill, Com. 760, 761  
 Official Liquidators (Ireland) Bill, Com. 173  
 Quit-Rents, Claims for, 892

## ASHMEAD-BARTLETT, Sir E., Sheffield, Ecclesall

Government of Ireland Bill, Com., *Clause II.* 1178, 1179, 1180, 1181 ; *Clause III.* 1820

## Supply

Peterhead Harbour, &c. 1459, 1460, 1462  
 Rev. F. B. Walsh, Attack on, 1494, 1498  
 Walsh, Rev. F. B.—Attack on, 337, 927

## ASQUITH, RIGHT HON. H. H. (Secretary of State for the Home Department), Fife, E.

Alderney, Constitution of, 918  
 Burglaries at South Kensington, 1362  
 Burial Fees in Wales, 908

## Employers' Liability Bill

Appointment of Com. 217, 218, 219  
 Government Amendments to, 785  
 Seamen, 629

## Estreated Bail

Case of Joseph Greenway, 335  
 Case of Richard Hall, 59

Government of Ireland Bill, Com., *Clause I.* 378

Guernsey, Administration, 1052  
 High Court of Justice, Rules of, 1361  
 Holloway, The Late Thomas—Will of, 1767  
 Horses, Injured, Slaughter of, 1543  
 Hull Dock Strike, 60, 66, 78, 201, 652, 784  
 Hyde Park—Alleged Disturbance by Foreigners, 907, 908

## Ireland

Carron, John, Case of, 1366  
 Wicklow County, Outrage in, 1366

Irish Channel, Attempted Suicide in, 1240

## Magistracy

County Appointments and Politics, 69 ; Res. 284, 286, 287, 288, 289  
 Metropolitan, 914  
 Workingmen, 920

Marlborough Street Police Court, 632

National Sporting Club, 1748  
 Newcastle-Emlyn Assault Case, 1770  
 Omnibus Drivers' Licences, 342  
 Oxford Tutor, Arrest of, 930, 1262  
 Places of Worship, Trust Deeds, 200  
 Prison (Officers' Superannuation) (No. 2) Bill, Intro. 1008 ; Com. 1849

## Prisons

Borstal, 342, 343  
 Schoolmasters, 921

Queen Anne's Bounty, 1358

Ringstead Churchyard, 1426  
 St. Clement's, Kensington—Land Dispute, 1237, 1238

Spalding—Murder of George Rolt, 1252

Still Births, Returns, 55

Shipping Federation, Res. 92, 93, 105

[cont.]

ASQUITH, Right Hon. H. H.—*cont.*

Supply

Carrying Revolvers, 1502

Prison Warders, 1624

Walsh, Rev. F. B.—Attack on, 1499

Tithe Disturbances in Wales, 791, 1737, 1738

Vaccination Bill, 651; Intro. 732

Walsh, Rev. F. B.—Attack on, 338, 928

ATHERLEY-JONES, Mr. L., *Durham, N.W.*

Government of Ireland Bill, Com. *Clause I.* 600

AUSTRALIA

*Imperial Penny Postage*, Q. Mr. Hogan; A. Mr. A. Morley *May* 4, 57; Q. Mr. H. Heaton; A. Mr. A. Morley *May* 4, 63

*Kanaka Labour Traffic*, Qs. Mr. S. Smith, Mr. J. E. Ellis; As. Mr. S. Buxton *May* 8, 324

*Steamship Communication between Canada and Australia*, Q. Mr. Hogan; A. Mr. E. Robertson *May* 8, 328; Q. Mr. Hogan; A. Mr. S. Buxton *May* 16, 1041

BADEN-POWELL, Sir G., *Liverpool, Kirkdale*

Armenia—Angora Trials, 1742

Brazil—Demurrage at Rio de Janeiro, 1367

British Columbia—Admiralty Surveys, 1272

Constitutional Changes, Reports of, 1253

North Sea Fisheries Bill, Com. 1379, 1385

North Sea Liquor Traffic Convention, 1545, 1761

Ships' Side Lights, 1763

BAGOT, Captain J. F., *Westmoreland, Kendal*

Diplomatic Service, Retirement in, 899

BALFOUR OF BURLEIGH, Lord

Barbed Wire Fences Bill, Com. 759

Railway Servants (Hours of Labour) Bill, 2R. 434

Scottish Education Code, 1527

Wild Birds Protection Bill, 2R. 1693, 1696

BALFOUR, Mr. G. W., *Leeds, Central*

Government of Ireland Bill, Com., *Clause I.*

584, 587; *Clause III.* 1663, 1664, 1666

Hansard Union Prosecution, 1051, 1245

*Balfour, Mr. J. S. (see Law and Justice and Police—Liberator Frauds)*

BALFOUR, Right Hon. A. J., *Manchester, E.*

Employers' Liability Bill—Appointment of Com. 216, 217, 223

Government of Ireland Bill, Qs. 202, 204, 1766; Com. *Clause I. (First Night)* 356,

357, 379, 422; (*Second Night*), 492, 496,

497, 501, 528; (*Third Night*), 592, 593,

595; (*Fourth Night*), 656, 657, 727, 728;

(*Fifth Night*), 801, 813; (*Sixth Night*),

[*cont.*

BALFOUR, Right Hon. A. J.—Government of Ireland Bill—*cont.*

*Clause II.* 971, 1000, 1001; (*Seventh Night*), 1062, 1063, 1091, 1095, 1096, 1097, 1101, 1128; (*Ninth Night*), *Clause III.* 1581, 1583; (*Tenth Night*), 1651, 1652, 1653, 1655, 1656, 1657, 1671, 1674; (*Eleventh Night*), 1826, 1827, 1830, 1833, 1844

Irish Post Office Property, 924

Ireland

Clare, Kerry, and Limerick, Crime in, 1788

Magistracy—Appointments and Politics, Res. 290, 291

Parliament—Twelve o'Clock Rule, Suspension of, 77

Shipping Federation, Res. 116

Vaccination Bill, 650

BALFOUR, RIGHT HON. J. B. (Lord Advocate), *Clackmannan, &c.*

Caithness—Road Grants, 1370

Fatal Accidents Inquiry (Scotland) Bill, Intro. 1355

Procurators Fiscal, Duties of, 1248

Ullapool River—Action against Fishermen, 1231

BALLANTINE, Mr. W. H. W., *Coventry*  
Coventry Charity Trustees, 900

Barbed Wire Fences Bill

1. Read 2<sup>d</sup> *May* 8, 302

Com.; Reported with Amendts.; Re-com. to Standing Com. *May* 12, 758

Barge Owners Liability Bill

c. 2R. deferred *June* 1, 1853

BARROW, Mr. R. V., *Southwark, Bermondsey*

Limited Liability Companies, 1250

Supply

Attack on the Rev. F. B. Walsh, 1497, 1498

Croydon Post Office, 1395

BARRY, Mr. A. H. SMITH-, *Hunts, S.*

Kerry, Crimes and Outrages in, 1532

Land Grabbing in Ireland, 1270

BARTLEY, Mr. G. C. T., *Islington, N.*

Artillery Volunteer Rifles, 637

Civil Servants as Company Directors, 327

Consolidated Fund (No. 2) Bill, Com. 1848, 1849

Customs and Inland Revenue Bill, Com. 148, 159; Con. 254

Early Closing Bill, 2R. 1523

Educational Statistics, 638

Evicted Tenants Commission, 1753

Government of Ireland Bill, Com., *Clause I.* 465, 467, 493, 665, 667; *Clause II.* 965,

972, 1003, 1056, 1163, 1168, 1187, 1188;

*Clause III.* 1813, 1815, 1821

Debates in Irish Parliament in the Irish Language, 1744

Guaranteed Land Stock, 1053

Land Purchase Acts, 1763

[*cont.*

**BARTLEY, Mr. G. C. T.—*cont.***

Labour Correspondents, 339  
 Labour Dispute (Arbitration) Bill, 2R. 1352  
 Land Tax Commissioners' Names Bill, 2R. 1522  
 Parliamentary Papers, Distribution of, 1541  
 Public Libraries (Ireland) Acts Amendment Bill, Com. 1211 ; 3R. 1353  
 Railway Rates and Charges, Select Com. 427, 929, 1006  
 Shops (Hours of Labour)—Legislation, 77  
 Statute Law Revision (No. 1) Bill, 2R. 1852  
 Supply  
   Diplomatic and Consular Buildings, 1342  
   House of Lords Offices, 1488, 1489  
   London Police Courts, 251, 252, 1291  
   Vote on Account, 462, 1279, 1436, 1521  
 Treasury Chest Fund Bill, 1282, 1287

**BARTON, Mr. D. P., *Armagh, Mid***

Government of Ireland Bill, Com., *Clause I.* 381, 533, 534, 536 ; *Clause II.* 998 ; *Clause III.* 1585, 1846  
 Railway Rates and Charges, Select Com., Appointment of, 1153

**BAYLEY, Mr. E. H., *Camberwell, N.***

Coastguard Service, 51  
 Income Tax—Co-operative Stores, 335

**BAYLEY, Mr. T., *Derbyshire, Chesterfield***

Company Law, 924  
 Slavery in East Africa, 331, 1425

**BEACH, Right Hon. Sir M. H., *Bristol, W.***

Railway Rates and Charges, Motion for Select Com. 426, 1005 ; Appointment of, 1152  
 Water Provisional Orders (No. 2) Bill, Instruction to Com. 1724, 1725, 1726  
 Whitsuntide Recess, 1280

**BEITH, Mr. G., *Inverness, &c.***

Military Rations and Canteen Supplies, 1042

**BELMORE, Earl of**

London Streets (Removal of Gates) Bill, 3R. 1526  
 Official Liquidators (Ireland) Bill, Com. 169

**BELPER, Lord**

Barbed Wire Fences Bill, Com. 759, 761

**BENN, Mr. J. W., *Tower Hamlets, St. George's***

London Improvements Bill, Nomination of Select Com. 613, 614

**BETHELL, Commander G. R., *York, E.R., Holderness***

Customs and Inland Revenue Bill, Con. 254  
 Death Duties, 325  
 "Daggerbank," Sinking of, 1753, 1754  
 Government of Ireland Bill, Com., *Clause II.* 959 ; Amendment, 981

[*cont.*]

**BOWLES, Mr. T. G.—cont.**

Egypt, Evacuation of, 1275  
 Labour Dispute (Arbitration) Bill, 2R. 1351, 1352  
*"Labour Gazette,"* 1274, 1275, 1543  
 Mediterranean Fleet, 1746, 1760  
 National Gallery—Sir F. Burton, 1745  
 New Licences (Ireland) Bill, Com. 1522  
 North Sea Fisheries Bill, 1367; Com. 1373, 1374, 1375, 1381, 1382, 1385, 1386  
 North Sea Liquor Convention, 1362, 1367, 1368, 1545  
 Parliament—Placemen and Pensioners, 778, 1746  
 Prison (Officers' Superannuation) (No. 2) Bill, Com. 1849  
 Public Service—Compulsory Retirement, 73  
 Shanghai Gaol—Supply of Boots, 455  
 Shipping Light Dues, 646  
 Stationery Office Contracts, 455  
 Statute Law Revision (No. 1) Bill, 2R. 1850, 1851, 1852  
 Statutory Rules Procedure Bill, Com. 1522  
 Supply  
   Diplomatic and Consular Buildings, 1336, 1342  
   Employment of Discharged Soldiers, 1476  
   Lighthouses, 1447, 1454, 1458  
   Madagascar—Arabi Pasha, &c. 1505  
   Science and Art Buildings, 1304, 1333  
 Trade Disputes (Arbitration and Conciliation) Bill, 2R. 1523  
 Treasury Chest Fund Bill, Com. 1286

**Brazil**

*Demurrage at Rio de Janeiro*, Q. Sir G. Baden-Powell; A. Sir E. Grey *May* 19, 1367

**BRIDGEMAN, Colonel Hon. F. C., Bolton**  
 Customs and Inland Revenue Bill, Con. 254

**British Columbia**

*Admiralty Surveys*, Q. Sir G. Baden-Powell; A. Mr. E. Robertson *May* 18, 1272

**British Honduras**

*Gold Standard*, Q. Mr. Weir; A. Mr. S. Buxton *May* 8, 323

**BRODRICK, Hon. W. St. J. F., Surrey, Guildford**

Government of Ireland Bill, Com., *Clause I.* 446; *Clause II.* 1056, 1058, 1060, 1061, 1079  
 Financial Questions, 461  
 Revenue of the Irish Government, 1543  
 Places of Worship Enfranchisement Bill, 1548

**BROOKFIELD, Mr. A. M., Sussex, Rye**  
 Agricultural Depression, 642, 643, 782  
 Army—Insubordination, 329  
 Derby Day Adjournment, Res. 1550, 1552

**BRUNNER, Mr. J. T., Cheshire, Northwich**  
 Government of Ireland Bill, Com., *Clause II.* 1076

**BRYCE, RIGHT HON. J. (Chancellor of the Duchy of Lancaster), Aberdeen, S.**

Armenia, Mr. Bryce's Speech on, 1055  
 Government of Ireland Bill, Com. *Clause I.* 586, 587, 592, 593; *Clause III.* 1580  
 Lancashire Chancery Court, 51  
 Magistracy  
 Appointments and Politics, 322, 323  
 Workingmen Magistrates, 920

**BUCHANAN, Mr. T. R., Aberdeenshire, E.**  
 Scotch Trawlers—Protection to Fishermen, 1255

**Burgh Police (Scotland) Act (1892) Amendment Bill**

*c.* Read 2<sup>o</sup> *May* 5, 300  
 Con. in Com.; Reported; Read 3<sup>o</sup>, and passed *May* 8, 425  
*l.* Read 1<sup>a</sup> *May* 9, 440  
 Read 2<sup>a</sup> *May* 12, 766  
 Com.; Re-com. to Standing Com. *May* 15, 892

**BURNIE, Mr. R. J. D., Swansea Town.**  
 Cholera Precautions, 1251  
 Railway Private Wagons, 1763  
 Welsh Tithe Disturbance, 791

**BURNS, Mr. J., Battersea**  
 Dockyards and Royal Arsenals, Wages in, 1239  
 Shipping Federation, Res. 101, 105  
 Supply  
   Employment of Soldiers and Sailors, 1479  
   Houses of Parliament—Police, 1503  
   Science and Art Buildings, 1330  
   Trafalgar Square, 1405

**BURT, Mr. T. (Secretary to the Board of Trade), Morpeth**

Electric Lighting Provisional Order (No. 7) Bill, Intro. 1640  
 Patents—Specifications, 770  
 Pier and Harbour Provisional Orders (No. 3) Bill, Intro. 427  
 Pier and Harbour Provisional Orders (No. 4) Bill, Intro. 608  
 Railway Rates and Charges Provisional Order (Cranbrook and Paddock Wood Railway, &c.) Bill, Intro. 257  
 Tramways Provisional Orders Bill, Intro. 256  
 Water Provisional Orders (No. 1) Bill, Intro. 256  
 Water Provisional Orders (No. 2) Bill, Intro. 256; 2R. 1159

**BUTCHER, Mr. J. G., York**  
 Government of Ireland Bill, Com., *Clause I.* 408, 409



**BUXTON, Mr. S. C.** (Under Secretary of State for the Colonies), *Tower Hamlets, Poplar*

- Australia—Kanaka Labour Traffic, 324
- British Honduras—Gold Standard, 323
- Canada and Australia, Steamship Communication between, 1042
- Dominica, Disturbances in, 198, 645, 646, 1365
- Malta—Tract Distribution, 326
- Mashonaland Development (Willoughby's) Company, 71
- Natal—Responsible Government, 785, 1756
- New South Wales Currency, 191
- Newfoundland Despatches, 321
- St. Helena—Emigration to South Africa, 1232, 1233
- Supply—African Affairs, 1511
- Swaziland—Convention of 1890—Sir H. Loch and President Krüger, 136, 1050
- Whitsuntide Adjournment, Res. 1416

**BYLES, Mr. W. P., York, W.R., Shipley**  
Government of Ireland Bill, Com., *Clause I.*

- 420, 421
- Hyde Park—Alleged Disturbance by Foreigners, 908
- Oxford Tutor, Arrest of, 930, 1261

**BYRNE, Mr. E. W., Essex, Waltham-stow**

- Government of Ireland Bill, Com., *Clause III.*
- 1847

**CAINE, Mr. W. S., Bradford, E.**

- Estreated Bail, Imprisonment for—Case of Richard Hall, 59

**India**

- Bhopal-Ujjain Railway, 324
- Hemp Drugs, 910
- Salt Duty, 323
- Indian Budget, 340
- Portmahomack Harbour, 448

**CALCUTTA** (*see INDIA*)

**CAMBRIDGE, Duke of**

- Madras and Bombay Armies Bill, 2R. 18

**CAMERON, Dr. C., Glasgow, College**

- Arran, Evictions in, 1276
- Church of Scotland Bill, 1054; Intro. 462
- Still Births, Returns of, 55

**CAMPBELL-BANNERMAN, Right Hon. H.** (Secretary of State for War), *Stirling, &c.*

**Army**

- Abbey Field, Colchester, 1364
- Aluminium—Infantry Equipment, 623
- Arms, Periodical Inspections of, 1235
- Cordite Powder, 911
- Crimean and Indian Mutiny Veterans' Pensions, 1726
- Government Departments—Wages in, 1239
- India—Field Artillery, 453
- Insubordination, 329

**CAMPBELL-BANNERMAN, Right Hon. H.—**  
*Army—cont.*

**Ireland**

- Belfast, Troops for, 1539
- Dublin Main Drainage Scheme, 1044
- Medical Staff Examinations, 774, 1047, 1048
- O'Keefe, Michael, Case of, 898
- Regiment at Aldershot—"The Queen and no Home Rule," 1540
- Tipperary Barracks, 1759
- Lee-Metford Rifle, 639, 779, 912, 1261, 1369
- Malta—Surgeon-Major-Generals Wade and Paterson, 73
- Medical Service Examinations, 774, 1047, 1048
- Officers
- Half-Pay Colonels, 1244, 1531
- Non-Commissioned Officers' Promotion, 622, 1357

**Pensions, Special Service, 1726**

- Rations and Canteen Supplies, Purchase of, 1043

**Scotland**

- Artillery Practice at Barry, 1232
- Palaces and Castles, 144
- Scottish Rifles at Aldershot, 1740, 1741
- Seaforth Highlanders, 1046
- Small Arms—Assistant Inspectors, 623
- Smokeless Powder, 74

**Supply—Discharged and Reserve Soldiers,**  
Employment for, 1473, 1476

- Target Practice Seawards, 785
- Telegraph Messengers' Drill, 637
- Trooping of the Colours, 1765

**Volunteers**

- Colour-Sergeant Sleep, 1730, 1731
- Rifles, 637

**Woolwich Barracks, 1243**

**CAMPERDOWN, Earl of**

- Barbed Wire Fences Bill, 2R. 302, 307; Com. 769, 760, 762, 763, 764
- Burgh Police (Scotland) Act (1892) Amendment Bill, Com. 895
- Discharged Soldiers, Government Employment for, 1227
- High Sheriffs, Select Com., Motion for, 1228

**CANADA**

- British Columbia—Admiralty Surveys, Q.
- Sir G. Baden-Powell; A. Mr. E. Robertson May 18, 1272
- Cattle Inspection, Q. Mr. Chaplin; A. Mr. Gardner June 1, 1750
- New Steam Service between Australia and Canada, Q. Mr. Hogan; A. Mr. E. Robertson May 8, 328; Q. Mr. Hogan; A. Mr. S. Buxton May 16, 1041

**Canal Rates, Tolls, and Charges Provisional Order Bills**

- c. Ordered to be referred to Joint Com. of Lords and Commons May 5, 256
- l. Con. and agreed to May 8, 301
- Committed to Joint Com. of Lords and Commons May 9, 543
- Nomination of Com. May 16, 1156

**CANTERBURY, Archbishop of**  
Elementary Education (Religious Instruction) Bill, 2R. 42

**CARMARTHEN, Marquess of, Lambeth, Brixton**

Early Closing Bill, 2R. 1523  
North Sea Fisheries Bill, 786; Com. 540  
Railway Rates and Charges, Select Com. 1007

Supply

British Museum, 1302  
Carrying Revolvers, 1501, 1502  
House of Commons Lobby, 233

**CARSON, Mr. E., Dublin University**  
Government of Ireland Bill, Com., *Clause II.* 1084

Ireland

Barry, Thomas, 1049  
Blood, Mr. Binden—Attacks on, 456  
Brady, Sir T.—Pension, 1249  
Clare, Kerry, and Limerick, Crime in, Res. 1792, 1801, 1806  
Medical Service Examiners, 1048  
Union Jack on Licensed Premises, 1757  
Maryborough Trials—Counsel's Fees, 1258

**CAVENDISH, Mr. V. C. W., Derbyshire, W.**

Government of Ireland Bill, Com., *Clause II.* 831

**CAYZER, Mr. C. W., Barrow-in-Furness**  
Trade Dispute, 1053

**CHAMBERLAIN, Right Hon. J., Birmingham, W.**

Business of the House, 652  
Employers' Liability Bill, 78; Appointment of Com. 210, 224

Government of Ireland Bill, 203; Com-  
*Clause I. (First Night)*, 348, 349, 350, 385, 386, 390, 417, 418, 422; (*Second Night*), 525, 539; (*Fourth Night*), 670, 671, 672, 673, 676, 683, 688, 692, 694; (*Sixth Night*), *Clause II.* 934, 938, 941, 942, 994, 995, 996; (*Seventh Night*), 1117, 1118, 1119, 1120, 1123; *Clause III. (Ninth Night)*, 1608, 1660, 1661; (*Eleventh Night*), 1839, 1840, 1841, 1842, 1843, 1844

Financial Questions, 460, 461  
Retention of the Irish Members, 341

**CHAMBERLAYNE, Mr. T., Southampton**  
Southampton—Customs Launch, 1534  
Supply—Ordnance Survey, 1448, 1453

**CHANNING, Mr. F. A., Northampton, E.**  
Education Grants, 1540

Railway Regulation Acts—Sub-Inspectors, 1534

Railway Servants—Hours of Labour, 1744

*Chapel Trust Deeds (see Places of Worship)*

**CHAPLIN, Right Hon. H., Lincolnshire, Sleaford**

Canadian Cattle, Inspection of, 1750, 1751  
Indian Currency Committee, 1751  
Pleuro-Pneumonia at Hendon, 1750

Supply

Ordnance Survey, 1430, 1435, 1438, 1443  
Science and Art Buildings, 1328, 1330

Swine Fever, 1256

Whitsuntide Adjournment, Res. 1407

*Charity Commissioners*

*Coventry Charity Trustees*, Q. Mr. Ballantine;

A. Mr. T. E. Ellis *May* 15, 900

*Dunford, Mr. R., Case of*, Q. Mr. Logan; A.

Mr. T. E. Ellis *May* 12, 775

*Fussell's Charity*, *South Wrexall*, Q. Mr. S.

Wortley; A. Mr. T. E. Ellis *May* 8, 343

"*John Lambert*" *Charity at Sheepshed*, Q.

Mr. Johnson-Ferguson; A. Mr. T. E. Ellis

*May* 9, 457

*Parochial Charity Accounts*, Q. Mr. H.

Lewis; A. Mr. T. E. Ellis *May* 8, 328

*Polytechnic for South London*, Q. Mr. Whit-

more; A. Mr. T. E. Ellis *May* 29, 1424

**CHELMSFORD, Lord**

Madras and Bombay Armies, 2R. 23

**Cheshire Lines Railway Bill**

c. 3R. deferred *May* 8, 317

**Cholera Hospitals (Ireland) Bill**

l. Read 3<sup>a</sup> with Amendts., and passed *May* 16, 1017

Returned from the Commons with Amendts. agreed to *May* 18, 1228

*Cholera Precautions (see Local Government Board)*

**Church of Scotland Bill**

a. Intro. Dr. Cameron; Read 1<sup>o</sup> *May* 9, 462

*Church of Scotland Bill*

Q. Mr. Hozier; A. Mr. W. E. Gladstone

*May* 15, 929; Q. Mr. Anstruther; A. Dr.

Cameron *May* 16, 1054

**CHURCHILL, Right Hon. Lord R., Paddington, S.**

Church of Scotland Bill, Intro. 463

Employers' Liability Bill, Appointment of Com. 218, 219, 221

Government of Ireland Bill, Instruction to Com. 347; Com., *Clause I. (First Night)*, 372, 412, 416, 417; (*Second Night*), 470, 520, 524; (*Fourth Night*), 682, 683

Financial Questions, 459

Hansard Union Prosecution, 902

Indian Budget, 341

London Improvements Bill, Nomination of Com. 618

Magistracy—Appointments and Politics, Res. 287, 299

Treasury Chest Fund Bill, Com. 1283

Whitsuntide Adjournment, Res. 1406

**Civil Service**

*Age Limit*, Q. Mr. Macdonald; A. Sir J. T. Hibbert *May* 30, 1533

*Attendance Books—Signing*, Qs. Mr. Hanbury; As. Sir J. T. Hibbert *May* 12, 780; *May* 18, 1265

*Bonus Payments*, Q. Mr. Fisher; A. Sir J. T. Hibbert *May* 19, 1359

*Civil Servants as Company Directors—Working Co-operative Stores*, Qs. Mr. Fisher, Mr. Bartley, Mr. Hanbury; As. Sir J. T. Hibbert *May* 8, 326; Q. Mr. Field; A. Sir J. T. Hibbert *May* 11, 634

*Compulsory Retirement*, Q. Mr. G. Bowles; A. Sir J. T. Hibbert *May* 4, 73; Q. Captain Bagot; A. Sir E. Grey *May* 15, 899

*Customs Department Clerks*, Q. Sir F. Dixon-Hartland; A. Sir J. T. Hibbert *June* 1, 1749; Q. Sir E. Clarke; A. Sir J. T. Hibbert *June* 1, 1753

*Electoral Privileges*, Q. Mr. Macdonald; A. Sir J. Rigby *May* 18, 1241

*Inland Revenue Clerks*, Q. Sir F. Dixon-Hartland; A. Sir J. T. Hibbert *May* 15, 897

*Local Government Board Auditors*, Q. Mr. Weir; A. Sir J. T. Hibbert *May* 19, 1368

*Paymaster General's Office—Chief Clerk*, Q. Mr. Weir; A. Sir J. T. Hibbert *May* 11, 648

*Senior Commissioner's Salary*, Q. Mr. Weir; A. Sir J. T. Hibbert *May* 18, 1269

*Somerset House Chemists—Private Practice*, Q. Mr. Hanbury; A. Sir J. T. Hibbert *May* 12, 786

*Writers and Abstractors*, Q. Sir F. Dixon-Hartland; A. Sir J. T. Hibbert *May* 18, 1252

**Civil Service (East India) Bill**

c. Order for 2R. read; Bill withdrawn *May* 31, 1692

**Civil Service Estimates (see Supply)****CLANCY, Mr. J. J., Dublin Co., N.**

Government of Ireland Bill, Com., *Clause I.* 501

**CLARK, Dr. G. B., Caithness**

Caithness—Road Grants, 1870

Customs and Inland Revenue Bill, Com. 146, 147, 150, 156

Government of Ireland Bill, Com., *Clause I.* 596, 717

Manchester, Sheffield, and Lincolnshire Railway Bill, 3R. 610

Railway Rates, Select Com. 652, 731

**Supply**

House of Lords Offices, 1484, 1492

Natal—Responsible Government, &c. 1509

Swaziland, Affairs in, 135

Vaccination, Compulsory, Res. 863

**CLARKE, Sir E., Plymouth**

Customs Clerks' Memorial, 1753

Government of Ireland Bill, Com., *Clause I.* 521; *Clause II.* 1112, 1113, 1114; *Clause III.* 1821

Statute Law Revision (No. 1) Bill, 2R. 1850

**Closure (see Parliament)****CLOUGH, Mr. W. O., Portsmouth**

Greenwich Age Pensions, 1739

Whitsuntide Adjournment, Res. 1417

**Clwyd, Dredging in**

Q. Mr. Willox; A. Mr. Mundella *May* 16, 1040

**Coal, Cinders, &c.**

Return ordered *May* 5, 300

**COBB, Mr. H. P., Warwick, S.E., Rugby**

Queen Anne's Bounty, 1358

Solicitors as Poor Law Guardians, 904

**COHEN, Mr. B. L., Islington, E.**

Customs and Inland Revenue Bill, Com. 148, 149

Railway Rates and Charges, Select Com., Motion for, 1007

Treasury Chest Fund Bill, Com. 1282

Whitsuntide Recess, Res. 1414

**Colchester, Abbey Field**

Q. Captain Naylor-Leyland; A. Mr. Campbell-Bannerman *May* 19, 1363

**COLCHESTER, Lord**

Elementary Education (Religious Instruction) Bill, Com. 1701

**COLERIDGE, Hon. B., Sheffield, Attercliffe**

Government of Ireland Bill, Com., *Clause I.* 585

**COLLERY, Mr. B., Sligo, N.**

Irish Railway Rates, 917, 1249

**COLLINGS, Right Hon. J., Birmingham, Bordesley**

Government of Ireland Bill, Com., *Clause II.* 931, 1172; *Clause III.* 1209, 1661, 1662

Museums, Provincial—Grants in Aid, 1267

**Supply**

Science and Art Buildings, 1317, 1318, 1330, 1333

Vote on Account, 1639

**Colonial Trusts Bill**

c. Order for 2R. read; Bill withdrawn *June* 1, 1855

**COLONIES**

Secretary of State—Marquess of RIPON

Under Secretary of State—Mr. S. BUXTON

*Imperial Penny Postage*, Qs. Mr. Hogan, Mr. Lawson; As. Mr. A. Morley *May* 4, 58

*Volunteer Decorations*, Q. Earl of Onslow; A. Lord Sandhurst *May* 15, 865

**COLVILLE OF CULROSS, Lord**  
Railway Servants (Hours of Labour) Bill,  
2R. 438

## COMMITTEE OF COUNCIL ON EDUCATION

Lord President—Earl of KIMBERLEY  
Vice President—Mr. A. H. D. ACLAND

## Commons Regulation Provisional Order (West Tilbury) Bill

a. Reported with Amendts. *May* 16, 1155  
Read 3<sup>o</sup>, and passed *May* 17, 1212  
l. Read 1<sup>o</sup> *May* 18, 1229

## Company Promoting (see Trade, Board of)

**COMPTON, Earl, York, W.R., Barnsley**  
Government of Ireland Bill, Com., *Clause II.*  
1002

**CONNAUGHT, Duke of**  
Madras and Bombay Armies Bill, 2R. 31

**CONNEMARA, Lord**  
Madras and Bombay Armies Bill, Com.  
1009

## Consolidated Fund (No. 2) Bill

a. Intro. ; Read 1<sup>o</sup> *May* 30, 1640  
Read 2<sup>o</sup> *May* 31, 1692  
Con. in Com. ; Reported *June* 1, 1848

**CONSTANTINOPE**  
*Coal Duties*, Q. Mr. Schwann ; A. Sir E.  
Grey *May* 9, 452

**Constitutional Changes, Reports of**  
Q. Sir G. Baden-Powell ; A. Sir E. Grey  
*May* 18, 1253

## Conveyance of Mails Bill

a. Read 2<sup>o</sup> *May* 19, 1417

**CONYBEARE, Mr. C. A. V., Cornwall, Camborne**  
Statute Law Revision (No. 1) Bill, 2R. 1850,  
1851  
Supply—Zululand, &c. 1511, 1512  
Swaziland, Affairs in, 140

## Copyhold (Consolidation) Bill

l. Referred to Joint Com. of both Houses  
on Statute Law Revision Bill *May* 4, 168 ;  
*May* 5, 189, 190, 257

**CORBETT, Mr. A. C., Glasgow, Trades-  
ton**  
Government of Ireland Bill, Com., *Clause II.*  
1105

**Cotton Cloth Factories Act, 1889**  
Copy pres. *May* 19, 1420

## County Council

*Thames Conservancy Board*, Q. Mr. H. L. W.  
Lawson ; A. Mr. Mundella *May* 4, 56

## County Surveyors (Ireland) Bill

l. Pres. ; Read 1<sup>o</sup> *May* 4, 46  
Read 2<sup>o</sup> *May* 12, 753  
Com., Amendts. made ; Bill Re-com. to  
Standing Com. *June* 1, 1723

## COURTNEY, Right Hon. L. H., Cornwall, Bodmin

Customs and Inland Revenue Bill, Com. 158  
Government of Ireland Bill, Com., *Clause I.*  
(*First Night*), 409 ; (*Third Night*), 579,  
583 ; (*Sixth Night*), *Clause II.* 960, 961 ;  
(*Seventh Night*), 1087, 1098, 1099  
Magistracy—Appointment and Politics, Res.  
297, 298  
Supply—Vote on Account, 1432, 1437  
Treasury Chest Fund Bill, Com. 1285

## CRANBORNE, Viscount, Rochester

Borstal Prison, 342, 343  
Employers' Liability Bill, Appointment of  
Com. 224  
Government of Ireland Bill, Com., *Clause I.*  
464, 475 ; *Clause II.* 1134 ; *Clause III.*  
1560  
National Education Association, 200  
Supply—Prison Warders, 1622

## CRANBROOK, Earl of

Elementary Education (Religious Instruc-  
tion) Bill, 2R. 34  
Sale of Intoxicating Liquors (Ireland) Bill,  
2R. 185

## CRAWFORD, Mr. D., Lanark, N.E.

Day Industrial Schools (Scotland) Bill,  
Lords Amendts. 1230  
Employers' Liability Bill, Appointment of  
Com. 214  
Scotland—Education—Minute of Council,  
1893 ; Res. 1147

## CREMER, Mr. W. R., Shoreditch, Hagger- ston

House of Commons—Sitting Accommodation,  
123, 127  
Postmen, 1269  
Shipping Federation, Res. 99  
Telegraph Messengers' Drill, 637

## CRILLY, Mr. D., Mayo, N.

Government of Ireland Bill, Com., *Clause I.*  
673

## Crofters (see SCOTLAND)

## Crofters' Holdings (Scotland) Act Extension Bill

a. Intro. Sir W. Wedderburn ; Read 1<sup>o</sup> *May* 12,  
836  
2R. deferred *June* 1, 1852

**CROMBIE, Mr. J. W., Kincardineshire**

Sea Fishermen's Voting (Scotland) Bill,  
Intro. 300

**CROSS, Mr. A., Glasgow, Camlachie**

Government of Ireland Bill, Com., *Clause II.*  
987, 988, 990, 992, 993

**CROSS, Viscount**

India

Home Charges, Motion for an Address, 880  
Phillips, Mr., Case of, Res. 315

Madras and Bombay Armies Bill, 2R. 12, 15,  
17; Com. 1013, 1014, 1016

Public Libraries Act Amendment Bill, 3R.  
756, 757

**CURZON, Hon. G. N., Lancashire, Southport**

France and Siam, 1748

**CURZON, Viscount, Bucks, Wycombe**

Spirit Dealers' Licences, 903

**Customs, Excise, and Inland Revenue**

*Customs Clerks*, Q. Sir F. Dixon-Hartland;  
A. Sir J. T. Hibbert *June* 1, 1749; Q. Sir  
E. Clarke; A. Sir J. T. Hibbert *June* 1,  
1753

*Death Duties*, Q. Commander Bethell; A.  
Sir W. Harcourt *May* 8, 325

**Income Tax**

*Co-operative Stores*, Q. Mr. E. H. Bayley;  
A. Sir W. Harcourt *May* 8, 335; Q. Mr.  
Field; A. Sir J. T. Hibbert *May* 11, 634

*Demand Notes*, Q. Mr. Hanbury; A. Sir W.  
Harcourt *May* 15, 911

*Land*, Q. Mr. Logan; A. Sir J. T. Hibbert  
*May* 4, 58; *May* 15, 896; *May* 19, 1366

"*Schedule B*," Q. Mr. G. Lawson; A. Sir  
W. Harcourt *May* 4, 72

*Inland Revenue Clerks*, Q. Sir F. Dixon-  
Hartland; A. Sir J. T. Hibbert *May* 15,  
897

*Inland Revenue Removals*, Q. Mr. Tully;  
A. Sir W. Harcourt *May* 18, 1270

Ireland (*see* that title)

Licensing (*see* that title)

*Milk, Analysis of*, Q. Lord G. Hamilton; A.  
Mr. H. H. Fowler *May* 30, 1530

*Patterns, Detention of, at Customs Houses*,  
Q. Mr. Holland; A. Mr. Mundella *May* 19,  
1369

*Revolver Licences—Hull Dock Strike*, Q. Mr.  
T. Robinson; A. Mr. Asquith *May* 4, 65

*Somerset House Chemists*, Q. Mr. Hanbury;  
A. Sir J. T. Hibbert *May* 12, 786

*Southampton Customs Launch*, Q. Mr. T.  
Chamberlayne; A. Sir J. T. Hibbert  
*May* 30, 1534

*Stamp Duty*, Q. Sir J. Lubbock; A. Sir W.  
Harcourt *May* 4, 73

*Warehousing Code*, Q. Mr. P. Smith; A. Sir  
J. T. Hibbert *May* 11, 624

*Welsh Probate Registries*, Q. Mr. Herbert  
Lewis; A. Sir J. Rigby *May* 12, 786

**Customs and Inland Revenue Bill**

c. Con. in Com.; Reported without Amendts.  
*May* 4, 145

Re-com.; Con. in Com.; Reported; as  
amended, Con.; Read 3<sup>o</sup>, and passed *May* 5,  
253

l. Read 1<sup>o</sup> *May* 8, 316

Read 2<sup>o</sup>; Com. negatived; Standing Order  
dispensed with; Read 3<sup>o</sup>, and passed *May* 9,  
441

Royal Assent *May* 12, 733

**CUST, Mr. H. J. C., Lincolnshire, Stamford**

Smokeless Powder, 74

**DANE, Mr. R. M., Fermanagh, N.**

Ireland

Brady, Sir T.—Pension, 1368, 1762

Carron, John, Case of, 1365, 1735

Clare, Moonlighting in, 1734

Clonmel, Disturbances at, 67

Cork—Boycotting—Case of Davidson and  
Connor, 918

Corraty National School, 919

Doon, Outrage at, 54

Dublin, Wicklow, and Wexford Railway,  
1258

Enniskillen Post Office, 773

Fermanagh, Boycotting at, 68

Irish Under Secretary's Salary, 1257

Kerry, Crimes and Outrages in, 1252

Legnatraghta Schoolmaster, 912

Leitrim Magistracy—Mr. P. Fergus, 784

Tobacco Duties, 54

Wicklow County, Outrages in, 1366

Railway Rates and Charges, Select Com.  
1153

**DARLING, Mr. C. J., Deptford**

Government of Ireland Bill, 204; Com.,  
*Clause I.* 361, 367, 502, 657, 707, 710;  
*Clause II.* 1080

Hull Dock Strike, Fires at, &c., 201, 651, 784

Irish Republican Flag, 787, 925

Magistrates, Workingmen, 920

**DAVIES, Mr. W. R., Pembrokeshire**

Tithe Collection in Cardiganshire, 1737

Trooping of the Colours, 1765

**Davitt, Mr.**

*Resignation of*, Q. Mr. Sexton; A. Mr.  
Speaker *May* 10, 546

**Day Industrial Schools (Scotland) Bill**

l. Reported from Standing Com. *May* 9, 440

Amendts. reported *May* 12, 767

Read 3<sup>o</sup>, and passed *May* 15, 896

c. Lords' Amendts. con. and agreed to  
*May* 18, 1230

l. Returned from the Commons *May* 18, 1228

**Delagoa Bay Railway (see AFRICA)****DENMAN, Lord**

Women's Suffrage Bill, Pres. 1528

**DE VESCI, Viscount**

Official Liquidators (Ireland) Bill, Com. 175,  
176

**DE WORMS, Right Hon. Baron H.,  
*Liverpool, East Toxteth***

Swaziland—Convention of 1890—Sir H. Loch  
and President Krüger, 1050

**DIGBY, Mr. J. K. WINGFIELD-, *Dorset,  
N.***

Customs and Inland Revenue Bill, Com. 166

**DILKE, Right Hon. Sir C. W., *Gloucester,  
Forest of Dean***

Magistracy—Appointments and Politics, Res.  
258, 298  
Newfoundland Despatches, 321  
St. Clement's, Kensington—Land Dispute,  
1238

**DILLON, Mr. J., *Mayo, E.***

Government of Ireland Bill, Com., *Clause I.*  
801  
Magistracy—Appointments and Politics, Res.  
274, 281, 291  
Questions—Saving the Time of the House,  
1372

***Diplomatic Service, Retirement in***

Q. Mr. G. Bowles; A. Sir J. T. Hibbert *May 4*,  
73; Q. Captain Bagot; A. Sir E. Grey  
*May 15*, 899

**DIXON-HARTLAND, Sir F. D., *Middlesex,  
Uxbridge***

Civil Service Writers and Abstractors, 1252  
Customs and Inland Revenue Bill, Com.  
168  
Customs Department Clerks, 1749  
Inland Revenue Clerks, 897

**DODD, Mr. C., *Essex, Maldon***

Magistracy—Appointments and Politics, Res.  
296, 297  
Magistrates Qualification (No. 2) Bill, Intro.  
542  
Swine Fever, 449

***Dominica, Disturbances in***

Q. Sir T. Esmonde; A. Mr. S. Buxton *May 5*,  
198; Qs. Sir T. Esmonde, Mr. Tuite; As.  
Mr. S. Buxton *May 11*, 645; Q. Sir H. H.  
Vivian; A. Mr. S. Buxton *May 19*, 1365

**DONELAN, Captain A. J. C., *Cork, E.***

Boys' Training Ships for Ireland, 1754  
Haulbowline Dockyard, 64

**DORCHESTER, Lord**

Discharged Soldiers, Government Employ-  
ment for, 1224

**DORINGTON, Sir J. E., *Gloucester,  
Tewkesbury***

Magistracy—Appointments and Politics, Res.  
266

**Duchy of Cornwall Bill**

c. Con. in Com. R.P. *May 8*, 428; *May 10*,  
607

**DUNDONALD, Earl of**

Discharged Soldiers, Government Employ-  
ment for, 1225, 1228

***Dutch Fruit Baskets—Mark of Origin***

Q. Major Rasch; A. Mr. H. H. Fowler  
*May 15*, 921; Q. Major Rasch; A. Mr.  
Mundella *May 18*, 1240

***Dutch Operations against the Acheenese***

Q. Mr. G. Bowles; A. Sir E. Grey *May 30*,  
1542

**DYKE, Right Hon. Sir W. H., *Kent,  
Dartford***

Supply—Science and Art Buildings, 1307,  
1310

**Early Closing Bill**

c. Intro. Sir J. Lubbock; Read 1° *May 12*, 836  
2R. deferred *May 29*, 1523

**EDUCATION**

Lord President of the Council—Earl of  
KIMBERLEY

Vice President—Mr. A. H. D. ACLAND

*Bangor College*, Q. Mr. S. Leighton; A. Mr.  
Acland *May 11*, 636

*Catholic Schools, Free Education in*, Q. Mr.  
S. Smith; A. Mr. Acland *May 12*, 768

*Departmental Circular*, References to in De-  
bate in Com. of Supply *May 30*, 1618, &c.

*Evening Schools Code*, Q. Mr. S. Smith; A.  
Mr. Acland *May 18*, 1270

Copy pres. *May 18*, 1355

*Free Education—Accommodation at Pimlico*,  
Qs. Mr. J. Rowlands, Mr. Pictou; As. Mr.  
Acland *May 4*, 59

*Grants, Irregular*, Q. Mr. Channing; A. Mr.  
Acland *May 30*, 1540

*Intermediate Education—Carnarvon Scheme*,  
Q. Mr. B. Roberts; A. Mr. Acland *May 9*,  
454

*Liverpool—Free Education in Birkenhead*,  
Q. Mr. Griffith-Boscawen; A. Mr. Acland  
*May 11*, 628

*London University Examination*, Q. Sir J.  
Lubbock; A. Mr. Shaw Lefevre *May 9*,  
454

*National Education Association*, Q. Viscount  
Cranborne; A. Mr. Acland *May 5*, 200

*National School Windows*, Q. Mr. Jeffreys;  
A. Mr. Acland *May 18*, 1233

*Norton Canes School*, Q. Mr. Hanbury; A.  
Mr. Acland *May 11*, 635

*Provincial Museums—Grant in Aid*, Qs. Mr.  
J. Collings, Mr. Labouchere, Mr. Leng;  
As. Mr. Acland *May 18*, 1267

*School Sanitation*, Q. Mr. Round; A. Mr.  
Acland *May 5*, 192

*Statistics*, Q. Mr. Bartley; A. Mr. Acland  
*May 11*, 638

*Technical Education and Trade Unions*, Q.  
Mr. A. Gibbs; A. Mr. Acland *May 18*,  
1234

**EDUCATION**—cont.

*Thornhill Lees National School*, Q. Mr. Oldroyd ; A. Mr. Acland *June 1*, 1768  
*Village Schools, Head Teachers for*, Q. Mr. S. Leighton ; A. Mr. Acland *May 11*, 644  
*Walsall Bluecoat School*, Q. Mr. Talbot ; A. Mr. Acland *June 1*, 1749

**Education (Evening Schools)**

Copy pres. *May 18*, 1355

**Education Provisional Order Confirmation (London) Bill**

l. Pres. Earl of Kimberley ; Read 1<sup>o</sup> *May 9*, 440

**EDWARDS, Mr. F., Radnorshire**

Water Provisional Orders (No. 2) Bill, 2R. 1157 ; Instruction to Com. 1230, 1723, 1724

**EGYPT**

*Evacuation*, Q. Mr. G. Bowles ; A. Sir E. Grey *May 18*, 1275

**Electric Lighting Provisional Order (No. 1) Bill**

c. Reported *May 17*, 1212  
 As amended, Con. ; Read 3<sup>o</sup>, and passed *May 18*, 1354  
 l. Read 1<sup>o</sup> *May 18*, 1229

**Electric Lighting Provisional Orders (No. 2) Bill**

l. Read 2<sup>o</sup> *May 9*, 441  
 Com. ; Reported ; Standing Com. negatived *May 12*, 767  
 Read 3<sup>o</sup>, and passed *May 15*, 896

**Electric Lighting Provisional Orders (No. 3) Bill**

c. Read 2<sup>o</sup> *May 9*, 541  
 Reported with Amendts. *May 16*, 1155  
 Read 3<sup>o</sup>, and passed *May 18*, 1354  
 l. Read 1<sup>o</sup> *May 18*, 1229

**Electric Lighting Provisional Orders (No. 4) Bill**

c. Read 2<sup>o</sup> *May 12*, 835  
 As amended, Con. *May 17*, 1212  
 Reported with Amendts. *June 1*, 1854

**Electric Lighting Provisional Orders (No. 5) Bill**

l. Pres. Lord Playfair ; Read 1<sup>o</sup> *May 8*, 316  
 Read 2<sup>o</sup> *June 1*, 1722

**Electric Lighting Provisional Orders (No. 6) Bill**

l. Pres. Lord Playfair ; Read 1<sup>o</sup> *May 8*, 316  
 Read 2<sup>o</sup> *June 1*, 1722

**Electric Lighting Provisional Orders (No. 7) Bill**

o. Intro. Mr. Burt ; Read 1<sup>o</sup> *May 30*, 1640

**Elementary Education (Blind and Deaf Children) Bill**

o. Intro. Mr. A. Acland ; Read 1<sup>o</sup> *May 31*, 1692

**Elementary Education Provisional Orders Confirmation (Chiswick, &c.) Bill**

l. Read 2<sup>o</sup> *May 12*, 766  
 Committed *May 30*, 1529  
 Com. ; Amendts. made *June 1*, 1722

**Elementary Education (Religious Instruction) Bill**

l. Read 2<sup>o</sup> *May 4*, 33  
 Com. postponed *May 30*, 1527  
 Com. ; Re-committed to Standing Com. *June 1*, 1701

**Elementary Education (School Attendance) Bill**

c. 2R. deferred *June 1*, 1850

**ELLIS, Mr. J. E., Nottingham, Rushcliffe**

Blocking Bills, 1548  
 Derby Day, Res. 1555  
 Ireland—Union Jack, 1537  
 Irish Land Purchase Returns, 48  
 Kanaka Labour Traffic, 325  
 Magistracy, County—Returns, 69  
 Whitsuntide Recess, 341

**ELLIS, Mr. T. E. (Parliamentary Charity Commissioner), Merionethshire**

Coventry Charity Trustees, 900  
 Dunford, Mr., Case of, 776  
 Fussell's Charity, South Wraxall, 343  
 "John Lambert" Charity at Sheepshed, 458  
 Parochial Charity Accounts, 328  
 Polytechnic for South London, 1424

**Emigration and Immigration**

*Alien Immigration*, Q. Colonel H. Vincent ; A. Mr. Mundella *May 19*, 1357

**Employers' Liability Bill**

c. Ordered, that the Proceedings on the Motion that the Bill be com. to Standing Com. on Law, &c., be rescinded *May 4*, 79  
 Motion to com. the Bill to Standing Com. on Law, &c. ; Debate resumed, and Bill com. to Standing Com. on Law, &c. *May 5*, 208

**Employers' Liability Bill**

Q. Mr. J. Chamberlain ; A. Mr. W. E. Gladstone *May 4*, 78  
*Government Amendments*, Q. Sir F. Powell ; A. Mr. Asquith *May 12*, 785  
*Seamen*, Q. Mr. H. Foster ; A. Mr. Asquith *May 11*, 629

**ESMONDE, Sir T. G., *Kerry, W.***

Dominica, Disturbances in, 198, 645

**Ireland**

Distraints—Sir T. Esmonde's Tenants, 1236

Railway Accident, 1549

Tralee and Dingle Railway—Sparks

Setting Fire to Houses, 904, 905, 1249

Labourers (Ireland) Act (Extension to Fishermen) Bill, Intro. 542

**EVANS, Mr. F. H., *Southampton***

Supply—Ordnance Survey, 1451

**EVANS, Mr. S. T., *Glamorgan, Mid.***

"Companies limited by Guarantee without Nominal Capital," 631

Customs and Inland Revenue Bill, Com. 150, 157

Places of Worship Enfranchisement Bill, 1548

Plumbers' Registration Bill, Com. 1690, 1691

Rating of Machinery Bill, Com. 255

Welsh Tithe Disturbances, 791, 1737

***Evicted Tenants (Ireland) Bill***

Q. Mr. Arnold-Forster; A. Mr. J. Morley  
May 4, 70

**Factory and Workshop Act (1891)  
Amendment Bill**

c. Intro. Sir H. James; Read 1° May 9, 542

**FARQUHARSON, Dr. R., *Aberdeenshire, W.***

House of Commons—Sitting Accommodation, 129

National Gallery—British Pictures, 57

Supply—Science and Art Buildings, 1301, 1307

Vaccination, Compulsory, Res. 864

**FARQUHARSON, Mr. H. R., *Dorset, W.***

Supply—Agricultural Depression, 1625

**Fatal Accidents Inquiry (Scotland)  
Bill**

c. Intro. Mr. J. B. Balfour; Read 1° May 18, 1355

**FELLOWES, Hon. A. E., *Hunts, Ramsey***  
Swine Fever, 449

**FENWICK, Mr. C., *Northumberland, Wansbeck***

Employers' Liability Bill, Appointment of Com. 222, 223, 224

Shipping Federation, Res. 108, 109

Supply—Discharged and Reserve Soldiers, 1478

**FERGUSON, Right Hon. Sir J., *Manchester, N.E.***

Ascension Day, Res. 548

Customs and Inland Revenue Bill, Com. 155

**FERGUSON, Right Hon. Sir J.—cont.**

Discharged and Reserve Soldiers, Government Employment for, 64

Government of Ireland Bill, Com., *Clause I.* 576; *Clause III.* 1678, 1679

Supply

Employment for Discharged Soldiers, &c. 1463, 1471, 1472

Houses of Parliament, 238

***Feus and Leases (Scotland)—Select Committee***

Nominated May 18, 1355

**FEVERSHAM, Earl of**

London Streets (Removal of Gates) Bill, 3R. 1525, 1526

**FIELD, Admiral E., *Sussex, Eastbourne***

St. Helena, 1232, 1233

Supply—Sailors and Soldiers, Employment of, 1477

**FIELD, Mr. W., *Dublin, St. Patrick's***

Channel Squadron, 910

Civil Servants Working Co-operative Stores, 634, 635

**Ireland**

Bankruptcy Law, 909

Boys' Training Ships, 1754

Brady, Sir T.—Pension, 1248

Dublin Guardians' Election, 1259

Dublin Main Drainage Scheme, 1044

Dublin Training College, 652

Irish Church Fund—Improvement of Harbours, 447

Kilmainham Prison Warders, 769

Tipperary Barracks, 1759

Live Stock Transit, 647

Pleuro-Pneumonia, 1750

Railway Rates, 1045, 1273

Tuberculosis Commission, 1746, 1747

**FINUCANE, Mr. J., *Limerick, E.***

Garrydoolis Postal Service, 330

**FISHER, Mr. W. H., *Fulham***

Civil Servants as Company Directors, 326, 327

Civil Service Bonus Payments, 1359

Government of Ireland Bill, Com., *Clause I.* 510

***Fishing***

"Doggerbank," Sinking of, Q. Commander Bethell; A. Mr. Mundella June 1, 1753

**FITZGERALD, Mr. R. U. P., *Cambridge***  
Half-pay Colonels, 1531

**FITZWYGRAM, General Sir F., *Hants, Fareham***

Supply—Houses of Parliament Buildings, 232



FLYNN, Mr. J. C., *Cork, N.*

American Mails—Queenstown and Southampton Route, 787

Ireland

Barry, Thomas, 1050

Boys' Training Ships, 1755

Clare County, Boycotting in, 457

Cork County, Boycotting in, 918, 1742

Fisheries—Inspectors' Reports, 197

O'Keefe, Michael—Case of, 898

## FOREIGN AFFAIRS

Secretary of State—Earl of ROSEBURY

Under Secretary of State—Sir E. GREY

*Constitutional Changes, Reports of*, Q. Sir G.

Baden-Powell; A. Sir E. Grey *May* 18

1253

*Triple Alliance*, Q. Mr. Labouchere; A. Sir

E. Grey *June* 1, 1738

## Foreign and Colonial Imports—Select Committee

Motion for (Earl of Kimberley for Lord Ribblesdale); Com. appointed *May* 9, 438

## Foreign Goods (Mark of Origin) (No. 2) Bill

*c.* Adjourned Debate on 2R. further adjourned *May* 10, 608

## Foreign Meat, Marking of—Select Committee

Printing Evidence and Distribution of Copies *June* 1, 1722

FORWOOD, Right Hon. A. B., *Lancashire, Ormskirk*

American Mails, 1268

Customs and Ireland Revenue Bill, Com. 148

"*Labour Gazette*," 1043

Navy Votes—Amounts Expended, 923

Questions—Saving the Time of the House, 1371

Supply

Admiralty Buildings, 239, 249

Public Buildings Votes—Details of Construction, 781

Revenue Department Buildings, 1344, 1346, 1350, 1386, 1389, 1390, 1391, 1394, 1401

Torpedoes, Contracts for, 1756

FOSTER, Mr. H. S., *Suffolk, Lowestoft*

Cholera Precautions—Seaport Towns, 61

Employers' Liability Bill—Seamen, 629

Government of Ireland Bill, Com., *Clause II.* 1078, 1079; *Clause III.* 1564, 1565, 1566

FOSTER, Sir B. W. (Secretary, Local

Government Board), *Derby, Ilkeston*

Anthrax, Inoculation against, 1729

Local Government Provisional Orders Bills,

Intro. 257, 427, 1153, 1419, 1420, 1640

Vaccination

Blood Poisoning, 1744

Compulsory, Res 852, 853, 854, 857, 859, 861

### Gas Provisional Orders Confirmation (Bromyard Gas, &c.) Bill

*l. Pres. Lord Playfair*; Read 1<sup>o</sup> *May* 4, 46  
Read 2<sup>o</sup> *June* 1, 1722

### Gas Provisional Orders Confirmation (Newent Gas, &c.) Bill

*l. Pres. Lord Playfair*; Read 1<sup>o</sup> *May* 4, 46  
Read 2<sup>o</sup> *June* 1, 1722

### GERMANY

*"Doggerbank," Sinking of, Q. Commander Bethell*; *A. Mr. Mundella June* 1, 1754  
*Infantry Equipment, Aluminium, Q. Mr. Hanbury*; *A. Mr. Campbell-Bannerman May* 11, 623  
*Postal Rates, Q. Mr. Lawson*; *A. Mr. A. Morley May* 4, 58; *Q. Mr. H. Heaton*; *A. Mr. A. Morley May* 4, 63

### GIBBS, Mr. A. G. H., *London*

Customs and Inland Revenue Bill, Com. 148, 157  
Trade Unions and Technical Education, 1234

### GIBBS, Mr. V., *Herts, St. Albans*

Clare, Kerry, and Limerick, Crime in, Res. 1807  
Essendon Postmistress, 1426  
Government of Ireland Bill, Com., *Clause I.* 392, 394, 515, 539, 800, 802

### GILHOOLY, Mr. J., *Cork Co., W.*

Ireland—Gun Licences, 1244

### GLADSTONE, Mr. H. J. (Under Secretary of State for the Home Department), *Leeds, W.*

Metropolitan Police Provisional Order Bill, Intro. 1420

### GLADSTONE, RIGHT HON. W. E. (First Lord of the Treasury and Lord Privy Seal), *Edinburgh, Midlothian*

Agricultural Depression, 788  
Church of Scotland Bill, 929  
Employers' Liability Bill, 79; Appointment of Com. 221

Government of Ireland Bill, Qs. 202, 203, 204, 1766; Com., *Clause I. (First Night)*, 353, 356, 359, 367, 368, 377, 385, 386, 415, 416, 421; (*Second Night*) 467, 483, 493, 495, 497; (*Third Night*), 553, 555; (*Fourth Night*), 689, 692, 694; (*Sixth Night*), *Clause II.* 939, 942, 969, 994, 995, 996; (*Seventh Night*), 1059, 1060, 1061, 1063, 1065, 1084, 1086, 1087, 1088, 1090, 1091, 1094, 1096, 1098, 1099, 1100, 1112, 1113, 1114, 1116, 1117, 1118, 1125, 1127, 1134; (*Eighth Night*), 1168, 1169, 1179, 1180, 1181, 1198, 1199; *Clause III.* 1207; (*Ninth Night*), 1558, 1565, 1567, 1576, 1580, 1581, 1583, 1617; (*Tenth Night*), 1648, 1649, 1651, 1652, 1654, 1656, 1660, 1661, 1665, 1668, 1669, 1679, 1690;

GLADSTONE, Right Hon. W. E.—Government of Ireland Bill—*cont.*

(*Eleventh Night*), 1819, 1820, 1821, 1825, 1827, 1831, 1834, 1836, 1838, 1840, 1841, 1842, 1843, 1844, 1845, 1846

Financial Clauses, 926, 1052  
Financial Questions, 459, 460, 461  
Guaranteed Land Stock, 925, 1053  
Irish £20 Franchise, 927  
Land Purchase Acts, 1763  
Norwegian Analogy to Irish Home Rule, 75  
Post Office Property, 923, 924  
Property Qualification, 1547  
Retention of Irish Members, 341  
Ulster and Home Rule, 80

Imperial Institute—State Function, 207

Indian Budget, 340, 341

Indian Finance, Select Com. on, 76

Irish Republican Flag, 787

Labour Arbitration Bill, 1547

Mines (Eight Hours) Bill, 649, 650

North Sea Fisheries Bill, 786

### Parliament

Ascension Day, Res. 548

Blocking Bills, 1548

Business of the House, 652, 931, 1054

Closure, 1546

Derby Day Adjournment, 1052

Questions in the House, 1547

Supply Statement, 783

Twelve o'Clock Rule, Suspension of, 77

Vote on Account, 1163, 1549

Whitsuntide Recess, 341, 930

Places of Worship Enfranchisement Bill, 1548, 1549

Registration Bills, 462, 650

Shipping Federation, Res. 117

Shops (Hours of Labour), Legislation, 76

Statute Law Revision Bill, 1768; 2R. 1851

Supply—Vote on Account, 462

Trade Disputes, 1054

### GOLDSMID, Sir J., *St. Pancras, S.*

Estreated Bail—Case of Joseph Greenway, 335

House of Commons—Sitting Accommodation, 120, 126, 127

London Improvements Bill, Nomination of Com. 618, 619

### Supply

Admiralty Buildings, 246, 249

Houses of Parliament, 237

### GOLDSWORTHY, General W. T., *Ham-mersmith*

Artizans' Dwellings for London, 1364

Government of Ireland Bill, Com., *Clause II.* 1196; *Clause III.* 1666, 1811

St. Clement's, Kensington—Land Dispute, 1238

### GORST, Right Hon. Sir J. E., *Cambridge University*

Employers' Liability Bill, Appointment of Com. 218

Government of Ireland Bill, Com., *Clause I.* 400, 792; *Clause II.* 1004, 1168, 1204

GORST, Right Hon. Sir J. E.—*cont.*

Indian Mines, Women in, 648

Personal Explanation, 730

Supply

Labour Department, 1515, 1520

Vote on Account, 1483, 1465, 1513

GOSCHEN, Right Hon. G. J., *St. George's, Hanover Square*

Customs and Inland Revenue Bill, Com. 163

Government of Ireland Bill, Com., *Clause I.* 481, 483; *Clause II.* 993, 984, 985, 1191,

1197, 1199, 1201; *Clause III.* 1834, 1836

Financial Questions, 460, 461

Irish Church Fund, 633

Vote on Account, 1163

GOURLLEY, Mr. E. T., *Sunderland*

H.M.S. "*Daphne*," 900

New York Naval Review—Desertions from the British Squadron, 901

### Government Contracts

*Foreign Firms—Admiralty Contracts*, Qs.

Colonel H. Vincent, Major Rasch; As. Sir U. Kay-Shuttleworth *May* 30, 1535

*Members of Parliament Influencing*, Qs. Mr.

Strachey, Mr. Wilson Lloyd; As. Mr. E. Robertson *May* 11, 627

*Stationery Office*, Q. Mr. G. Bowles; A. Sir J. T. Hibbert *May* 9, 455

### Government of Ireland Bill

Instructions to Com.—Mr. Speaker's Rulings *May* 5, 205

#### a. Con. in Com.

#### Clause I. (*Legislative Authority*)

(*First Night*) *May* 8, 345; Motion to postpone *Clause I.* (Mr. J. Chamberlain), 353; Division, 361; Amendt. (Mr. Darling), 367; Amendt. to the said Amendt. (Mr. Bousfield), 386; Division, 412; Motion to report Progress (Lord R. Churchill), 414; Divisions, 422, 423; R.P.

(*Second Night*) *May* 9, 464; Amendt. (Mr. Bartley), 465; Division, 493; Amendt. (Mr. W. Redmond), 495; Division, 526; Amendt. (Mr. T. W. Russell), 531; Motion to report Progress (Mr. Heneage), 538; R.P.

(*Third Night*) *May* 10, 550; Debate resumed on Mr. T. W. Russell's Amendt.; Division, 607; R.P.

(*Fourth Night*) *May* 11, 654; Amendts. (Mr. W. Redmond), 656, 665; Division, 667; Motion that *Clause I.* stand part of the Bill, 667; Amendt. to leave out *Clause I.* (Mr. Bartley), 668; Motion to report Progress (Mr. A. J. Balfour), 727; Closure (Mr. J. Morley); Divisions, 728; R.P.

(*Fifth Night*) *May* 12, 792; Question again proposed that *Clause I.* stand part of the Bill; Closure (Mr. J. Morley); Division, 831

### Government of Ireland Bill—*cont.*

#### Clause II. (*Powers of Irish Legislature*), 831

Amendt. (Mr. Cavendish), 834; R.P.

(*Sixth Night*) *May* 15, 931; Debate resumed on Mr. Cavendish's Amendt.; Division, 965; Amendt. (Mr. Bartley), 968; Amendt. withdrawn, 972; Amendt. (Mr. Bousfield), 972; Amendt. withdrawn, 979; Amendt. (Commander Bethell), 982; Division, 987; Amendt. (Mr. A. Cross), 987; Division, 1005; R.P.

(*Seventh Night*) *May* 16, 1035; Amendt. (Mr. Bartley), 1059; Division, 1080; Amendt. (Sir H. James), 1080; Amendt. withdrawn, 1088; Amendt. (Mr. Kimber), 1088; Amendt. withdrawn, 1092; Amendt. (Sir H. James), 1092; Amendt. agreed to, 1129; Amendt. (Mr. Hanbury), 1129; Ruled out of Order; Amendt. (Mr. J. G. Lawson), 1130; Division, 1135; R.P.

(*Eighth Night*) *May* 17, 1163; Question proposed that *Clause II.*, as amended, stand part of the Bill; Division, 1197; Motion to report Progress (Mr. Goschen), 1198; Division, 1201

#### Clause III. (*Exceptions from powers of Irish Legislature*), 1204

Amendt. to postpone *Clause III.* (Captain Naylor-Leyland), 1205; R.P.

(*Ninth Night*) *May* 30, 1558; Question again proposed that *Clause III.* be postponed; Division, 1566; Amendt. (Viscount Wolmer), 1569; Division, 1617; R.P.

(*Tenth Night*) *May* 31, 1641; Amendt. (Viscount Wolmer), 1641; Division, 1662; Amendt. (Mr. G. Balfour), 1664; Amendt. withdrawn, 1666; Amendt. (General Goldsworthy), 1668; Division, 1687; Amendt. (Sir A. Scoble), 1682; Division, 1687; Amendt. (Mr. P. Smith), 1688; Division, 1690; R.P.

(*Eleventh Night*) *June* 1, 1811; Amendt. (Mr. Hanbury), 1811; Amendt. withdrawn, 1815; Amendt. (Mr. P. Smith), 1819; Amendt. agreed to, 1820; Amendts. ruled out of Order, 1820, 1821; Amendt. (Sir E. Ashmead-Bartlett), 1820; Amendt. agreed to, 1821; Amendt. (Mr. Bartley), 1821; Question put, and negatived, 1845; Amendt. (Mr. P. Smith), 1845; Amendt. put, and agreed to, 1847; R.P.

### Government of Ireland Bill

Qs. and Obs. Mr. Jackson, Mr. W. E. Gladstone, Mr. A. J. Balfour, Mr. J. Chamberlain, Mr. Sexton, Mr. Darling *May* 5, 202; Qs. Mr. Macfarlane, Mr. A. J. Balfour; As. Mr. W. E. Gladstone *June* 1, 1766

*Financial Clauses*, Q. Mr. W. Kenny; A. Mr. W. E. Gladstone *May* 15, 926; Q. Mr. Cochrane; A. Mr. W. E. Gladstone *May* 16, 1052

*Financial Questions*, Qs. Lord R. Churchill, Mr. Sexton, Mr. Goschen, Mr. J. Chamberlain, Mr. Brodrick; As. Mr. W. E. Gladstone *May* 9, 459

*Government of Ireland Bill—cont.*

*Guaranteed Land Stock*, Q. Mr. Jackson; A. Mr. W. E. Gladstone *May* 15, 925; Q. Mr. Bartley; A. Mr. W. E. Gladstone *May* 16, 1053

*Irish Church Fund*, Qs. Mr. Aird, Mr. Goehen, Mr. Sexton; As. Mr. J. Morley *May* 11, 632

*Irish Resident Magistrates*, Q. Captain M'Calmont; A. Mr. J. Morley *May* 12, 785

*Land Purchase Acts*, Q. Mr. Bartley; A. Mr. W. E. Gladstone *June* 1, 1763

*Norwegian Analogy to Home Rule*, Qs. Colonel H. Vincent, Mr. Johnston; As. Mr. W. E. Gladstone, Mr. Speaker *May* 4, 74

*Petitions in Lunatic Asylums*, Q. Mr. T. M. Healy; A. Mr. J. Morley *May* 9, 457

*Post Office Property*, Qs. Sir J. B. Maple, Mr. A. J. Balfour; As. Mr. W. E. Gladstone *May* 15, 923

*Property Qualification*, Q. Mr. Saunders; A. Mr. W. E. Gladstone *May* 30, 1547

*Retention of the Irish Members*, Q. Mr. J. Chamberlain; A. Mr. W. E. Gladstone *May* 8, 341

*Revenue under Irish Government*, Q. Mr. Brodrick; A. Sir W. Harcourt *May* 30, 1543

*Science and Art School under Home Rule*, Q. Mr. W. Kenny; A. Mr. Acland *May* 30, 1544

*£20 Franchise*, Qs. Mr. Saunders, Mr. W. M'Laren; As. Mr. W. E. Gladstone, Mr. J. Morley *May* 15, 927

*Ulster and Home Rule*, Qs. Mr. T. W. Russell, Mr. Sexton; As. Mr. Speaker, Mr. W. E. Gladstone *May* 4, 79

*Government Property, Rating of*

Q. Mr. F. Frye; A. Sir J. T. Hibbert *May* 18, 1266

Debate on, in Com. of Supply *May* 29, 1464, &c.

GRAHAM, Mr. H. R., *St. Pancras, W.*  
Coldbath Fields Money Order Clerks, 52  
Railway Whistles, 53

GREENE, Mr. H. D., *Shrewsbury*  
High Court of Justice, Rules of, 1360

GREY, Sir E. (Under Secretary of State for Foreign Affairs), *Northumberland, Berwick*

## Africa

Delagoa Bay Railway, 54  
Slavery in East Africa, 331, 1425  
Uganda—Sir G. Portal's Mission, 1732, 1733

America (South)—Balfour, J. S.—Extradition Treaty, 454, 1041

America (United States)—Irish Republican Flag, 926

Armenia—Angora Trials, 455, 1743  
Brazil—Demurrage at Rio de Janeiro, 1367  
Constantinople—Coal Duties, 453  
Constitutional Changes, Reports of, 1253  
Diplomatic Service, Retirement in, 900

[cont.

## GREY, Sir E.—cont.

Dutch Operations against the Acheenese, 1542

Egypt, Evacuation of, 1275, 1276

France and Siam, 1749

North Sea Liquor Traffic Convention, 1363

Shanghai Gaol—Supply of Boots, 455

"*Siam Free Press*," Attack on, 903

Spain

Commercial Treaty with, 1544

Mr. S. Lucas—Claims on Spanish Railway, 321

Supply

Mr. J. S. Balfour, 1504

Uganda—Malagascar—Behring Sea Dispute, &c. 1508, 1509

Triple Alliance, 1738

*Guernsey—Administration under the Feudal Constitution*

Q. Mr. C. Roundell; A. Mr. Asquith *May* 16, 1052

GUNTER, Colonel R., *York, W.R., Barkstone Ash*

Supply—Cottage Hospitals and Boards of Guardians, 1628

HALDANE, Mr. R. B., *Haddington*

Government of Ireland Bill, Com., *Clause I.* 484; *Clause II.* 949, 951

HALIFAX, Viscount

Elementary Education (Religious Instruction) Bill, Com. 1709

HALSBURY, Lord

Barbed Wire Fences Bill, 2R. 306; Com. 762, 763

Quit-Rents, Claims for, 893

Sale of Intoxicating Liquors (Ireland) Bill, Com. 1218

HAMILTON, Right Hon. Lord G., *Middlesex, Ealing*

Closure, 789

Milk, Analysis of, 1530

Supply—Vote on Account, 1464

*Hampstead Sewer Gas (see Local Government Board)*

HANBURY, Mr. R. W., *Preston*

## Army

Arms, Periodical Inspections of, 1235

Cordite Powder, 911

Infantry Equipment, Aluminium, 623

Rations—Frozen Meat, 195, 779

Small Arms—Assistant Inspectors, 623

Balfour, Mr. J. S. 453

Business of the House—Vote on Account, 1054

Civil Servants as Company Directors, 327

Civil Service—Attendance Books, Signing, 780, 1265

Coldbath Fields Money Order Clerks, 52

Customs and Inland Revenue Bill, Com. 160

**HANBURY, Mr. R. W.—cont.**

Government of Ireland Bill, Com., *Clause I.* 538, 668, 688; *Clause II.*, Amendts. 1129, 1130; *Clause III.* 1811, 1812, 1813, 1814, 1815

Income Tax—Demand Notes, 911

Indian Field Artillery, 453

Ireland—Sir T. Brady's Pension, 1249

Labour Disputes (Arbitration) Bill, 2R. 1352, 1353

Land Tax Commissioners' Names Bill, 2R. 1522

Magistracy—Appointment and Politics in Lancashire, 322

Mediterranean Fleet, Roman Catholics in, 196

Mercantile Marine, Guns for, 1264

North Sea Fisheries Bill, Com. 1375, 1377, 1378, 1379, 1384

Norton Canes School, 635

Somerset House Chemists, 786

**Supply**

British Museum, 1301

Diplomatic and Consular Buildings, 1343

Employment of Discharged Soldiers, 1474, 1482

House of Lords Offices, 1485, 1486, 1490

London Police Courts, 1296, 1297, 1298

Science and Art Buildings, 1335

Treasury Chest Fund Bill, Com. 1280, 1287

**Hansard Union Prosecution (see title *Law and Justice and Police*)****HARCOURT, RIGHT HON. Sir W. G. V. (Chancellor of the Exchequer), Derby**

Customs and Inland Revenue Bill, Com. 146, 147, 148, 149, 150, 151, 154, 156, 157, 160, 162, 164, 166, 168, 253; Con. 254

Death Duties, 325

Government of Ireland Bill, *Clause I.* 391, 499, 801, 802; *Clause II.* 1004, 1134

Revenue of Irish Government, 1544

Highlands and Islands Public Works—Distress at Ullapool, 56

Imperial Institute, Indian Officers at, 331

**Income Tax**

Co-operative Stores, 336

Demand Notes, 911

"Schedule B," 72

Indian Currency Committee, 1751

Inland Revenue Removals, 1270

**Ireland**

Securities, Value of, 344

Tobacco Duties, 54

Labour Disputes (Arbitration) Bill, 2R. 1352, 1353

Questions—Saving the Time of the House, 1371

Spirit Dealers' Licences, 903

Stamp Duty, 73

**Supply**

Admiralty Buildings, 243, 245

Police Courts, 252

Revenue Buildings, 1346, 1350, 1351

Vote on Account, 1435, 1436, 1443, 1461, 1464, 1512, 1513, 1514, 1631

Treasury Chest Fund Bill, Com. 1281, 1282, 1285, 1287

Whitsuntide Adjournment, 1280; Res. 1412, 1413, 1416

**HARDIE, Mr. J. KEIR, West Ham, S.**

Hull Dock Strike, 60, 78

Shipping Federation, Res. 94

**HARRINGTON, Mr. T., Dublin, Harbour**

Government of Ireland Bill, Com., *Clause I.* 658, 674, 682, 687, 688, 803; *Clause II.* 980, 981

**HAYDEN, Mr. L. P., Roscommon, S.**

Ireland

Poor Law Guardians and Contracts, 70

Roscommon Postal Service, 1362

**HAYTER, Sir A. D., Walsall**

Supply—Admiralty Buildings, 239

**HEALY, Mr. M., Cork**

Ireland

Local Registration of Title Act, 1264

Royal Irish Constabulary Force Fund, 449

Malta—Shooting of P. Barry, 197

Mediterranean Squadron, Chaplains in, 1727, 1728

Post Office—Transfer of *Employees*, 329

**HEALY, Mr. T. J., Wexford, N.**

Lord Templemore's Tenants, 196

**HEALY, Mr. T. M., Louth, N.**

American Mails, 1269

Business of the House, 788

Closure, 791

Government of Ireland Bill, Com., *Clause I.*

349, 350, 359, 534, 535, 595, 599;

*Clause II.* 988, 990, 1003, 1099, 1130;

*Clause III.* 1645, 1659, 1846

Petitions—Lunatic Asylums, 457

**Ireland**

Blood, Mr. Binden—Attacks on, 456

Carron, John—Case of, 1736

Clare, Kerry, and Tipperary, Crime in,

Res. 1771, 1790, 1805, 1806, 1807

Doherty, Hugh—Case of, 1743

Dublin Female Telegraphists, 625

Dunsany Co-operative Stores and Poor Law Contracts, 1278

Hunter, John—Conviction of, 643

Irish Under Secretary's Salary, 1258

Land Grabbing, 1271

Police Allowances, 625, 1246

Railway Rates, 1270, 1361

Union Jack on Licensed Premises, 1538, 1757

Irish Police Enfranchisement Bill, 2R. 1523

Labour Disputes (Arbitration) Bill, 2R. 1353

Licensed Premises (Display of Flags, &c. Bill), Intro. 1691

Parliamentary Papers, 1542

Public Libraries (Ireland) Acts Amendment Bill, Com. 1211, 1212

Railway Rates and Charges, Motion for Select Com. 426, 1006

Supply—Condition of Ireland, 1637

**HEATON, Mr. J. H., Canterbury**

Post Office

Foreign Postal Rates, 62, 63

Pensions and Superannuation Allowances, 191

**HENEAGE, Right Hon. E., Great Grimsby**

Ascension Day, Res. 549

Business of the House, 930

Closure, 791, 1546

Government of Ireland Bill, Com., *Clause I.* 538, 539, 550, 552, 553, 661, 703, 706; *Clause II.* 1172, 1176; *Clause III.* 1602, 1675

North Sea Fisheries Bill, Com. 540, 1376, 1383, 1385, 1386

North Sea Liquor Convention, 1545

Whitsuntide Adjournment, Res. 1415

**HERBERT, Hon. S., Croydon**

Supply—Houses of Parliament—Clock Tower Light, 233

**HERSCHELL, LORD (Lord Chancellor)**

Barbed Wire Fences Bill, 2R. 306

Elementary Education (Religious Instruction) Bill, Com. 1707, 1709, 1712

Official Liquidators (Ireland) Bill, Com. 174

Quit-Rents, Claims for, 890, 892, 893

Standing Orders, Con. 1220

Supreme Court of Judicature Bill, Pres. 1229

Wild Birds Protection Bill, 2R. 1698

**HIBBERT, RIGHT HON. SIR J. T. (Secretary to the Treasury), Oldham**

Civil Service

Age Limit, 1533

Attendance Books, Signing, 780, 781, 1266

Bonus Payments, 1359

Compulsory Retirement, 74

Senior Commissioners, 1269

Servants as Directors of Companies—Co-operative Stores, 327, 634

Writers and Abstractors, 1252

Consolidated Fund (No. 2) Bill, Com. 1849

Customs and Excise Service—Warehousing Code, 624

Customs Clerks, 1749, 1753

Discharged and Reserve Soldiers, Government Employment for, 64

Government Property, Rating of, 1266

Hansard Union Prosecution, 902, 1245

Income Tax—Land, 58, 897, 1366

Inland Revenue Clerks, 897

Ireland

Brady, Sir T.—Pension, 620, 1248, 1249, 1368, 1762

Dublin Inland Revenue Department, 775

Harbour Improvements—Irish Church Fund, 447

Land Assessments, 58, 897, 1367

Local Registration of Title Act, 1264, 1764

Land Tax Commissioners' Names Bill, 2R. 1522

Local Government Board Auditors, 1369

National Gallery

Albert Dürer's Pictures, 913, 914

Sir F. Burton, 1745

**HIBBERT, Right Hon. Sir J. T.—cont.**

Parliament—Placemen and Pensioners, 778, 1746

Parliamentary Debates—Correction of Speeches, 1534

Parliamentary Papers, Distribution of, 1541

Paymaster General's Office—Chief Clerk, 649

Public Service—Compulsory Retirement, 74

Scotland—Edinburgh Science and Art Museum Clerks, 911, 1261

Somerset House Chemists, 787

Southampton Customs Launch, 1534

Southern Railway (Ireland) Bill, Intro. 1355

Stationery Office Contracts, 455

Supply

Carlisle Pier, 1468, 1469

Employment for Discharged Soldiers, 1471

House of Lords Offices, &amp;c. 1484, 1486, 1489, 1492

London Police Courts, 1296, 1297, 1298

Ordnance Survey, 1430

Public Buildings Votes—Details of Construction, 781, 782

Rating of Government Property, 1465, 1466

Revenue Department Buildings, 1397, 1401

Royal Dublin Society Lecture Theatre, 1469

Science and Art Buildings, 1326

Skibbereen and Baltimore Railway Pier, 1470

Vote on Account, 1279, 1433

**HICKMAN, Sir A., Wolverhampton, W.**

Customs and Inland Revenue Bill, Com. 165

**High Sheriffs**

Motion for Select Com. (Earl of Camperdown) May 18, 1228

Printing Evidence and Distribution of Copies June 1, 1721

**HILL, Colonel Sir E. S., Bristol, S.**

Employers' Liability Bill—Appointment of Com. 225

**HOARE, Mr. E. B., Hampstead**

Customs and Inland Revenue Bill, Com. 147, 148, 253

**HOBHOUSE, Mr. C. E. H., Wilts, Devizes**

Welsh Tithe Disturbances, 791

**HOBHOUSE, Mr. H., Somerset, E.**Government of Ireland Bill, Com., *Clause I.* 473, 474; *Clause III.* 1567, 1593

Magistracy—Appointments and Politics, 68; Res. 297

Weights and Measures Bill, Com. 1154

**HOGAN, Mr. J. F., Tipperary, Mid.**

Australia and Canada, New Steamship Communication between, 328, 1041

Colonies—Imperial Penny Postage, 58

**HOLLAND, Mr. W. H., Salford, N.**  
 Dutch Operations against the Acheenese, 1542  
 Patterns, Detention of, at Customs Houses, 1369  
 Rating of Machinery Bill, Com. 255

*Holloway, the late Thomas—Will of*  
 Q. Mr. A. C. Morton ; A. Mr. Asquith *June 1*, 1767

## HOME DEPARTMENT

Secretary of State—Mr. ASQUITH  
 Under Secretary of State—Mr. H. J. GLADSTONE  
 (See title *Law and Justice and Police*)

*Home Rule Bill* (see *Government of Ireland Bill*)

## HONG KONG

*H.M.S. "Daphne," Repairs of*, Q. Mr. Gourley ; A. Mr. E. Robertson *May 15*, 900

**HOOD OF AVALON, Lord**  
 Navy, Strength of, Res. 1018, 1029, 1038

**HOPWOOD, Mr. C. H., Lancashire, S.E., Middleton**  
 Vaccination, 1744 ; Res. 837, 839, 841, 853, 856, 857

*Horses, Injured, Slaughter of*  
 Q. Mr. Saunders ; A. Mr. Asquith *May 30*, 1543

**HOULDSWORTH, Sir W. H., Manchester, N.W.**  
 Indian Currency Committee, 1751

## Housing of the Working Classes (Edinburgh) Provisional Order Bill

c. Intro. Sir G. Trevelyan ; Read 1<sup>o</sup> *May 9*, 542  
 Read 2<sup>o</sup> *May 16*, 1155  
 Reported *June 1*, 1853

**HOWARD, Mr. J., Middlesex, Tottenham**  
 Tottenham Fever Hospital, 906

**HOWELL, Mr. G., Bethnal Green, N.E.**  
 Balfour, J. S.—Extradition of, 1041  
 Labour Disputes, Arbitration in, 337  
 Statute Law Revision Bill, 1767  
 Supply  
 Admiralty Buildings, 247  
 Balfour, J. S.—Extradition of, 1503  
 Employment of Discharged Soldiers, 1474  
 House of Commons Conference Room, 233

**HOZIER, Mr. J. H. C., Lanarkshire, S.**  
 Bowling Public Hall, 1273  
 Church of Scotland Bill, 929  
 Mines (Eight Hours) Bill, 650

**HUDSON, Mr. G. B., Herts, Hitchin**  
 Vaccination, Compulsory, Res. 863

*Hull Dock Strike* (see *Labour Department*)

**HUNT, Sir F. S., Marylebone, W.**  
 Half-pay Colonels, 1244, 1532

**HUNTER, Mr. W. A., Aberdeen, N.**  
 Government of Ireland Bill, Com., *Clause I.* 561  
 India—Mr. Chatterjee, 640  
 Railway Rates and Charges, Select Com. 1006, 1152, 1153  
 Scotland—Education—Minute of Council of 1893, Res. 1148

**HUNTLY, Marquess of**  
 Barbed Wire Fences Bill, 2R. 304

**HUSBAND, Mr. J., Wilts, Cricklade**  
 Railway Rates, 334

**HUTCHINSON, Captain W. G. GRICE-, Aston Manor**  
 Scottish Rifles at Aldershot, 1740

*Hyde Park—Alleged Disturbances by Foreigners*  
 Qs. Mr. Picton, Mr. Byles ; As. Mr. Asquith *May 15*, 906

**Hypothec Bill**  
 c. 2R. ; Bill withdrawn *May 10*, 607

**ILLINGWORTH, Mr. A., Bradford, W.**  
 Government of Ireland Bill, Com., *Clause I.* 539

**Imperial Institute**  
*Indian Officers at*, Q. Mr. Macfarlane ; A. Sir W. Harcourt *May 8*, 331

**Imprisonment for Debt**  
 Return pres. *May 10*, 608

**INCHQUIN, Lord**  
 Quit-Rents, Claims for, 889

*Income Tax* (see title *Customs, Excise, and Inland Revenue*)

## INDIA

Secretary of State—Earl of KIMBERLEY  
 Under Secretary of State—Mr. G. W. E. RUSSELL

*Anthrax, Inoculation Against*, Qs. Colonel Lockwood, Sir H. Roscoe ; As. Mr. G. Russell, Sir W. Foster *June 1*, 1728

## INDIA—cont.

## ARMY

- Field Artillery*, Q. Mr. Hanbury ; A. Mr. Campbell-Bannerman *May* 9, 453  
*Home Charges*, Motion for an Address (Earl of Northbrook) *May* 15, 866  
*Hospital Staff Allowances*, Q. Dr. Macgregor ; A. Mr. G. Russell *May* 4, 66
- Officers**  
*Furlough Pay*, Q. Sir S. King ; A. Mr. G. Russell *May* 29, 1421  
*Officers at the Imperial Institute*, Q. Mr. Macfarlane ; A. Sir W. Harcourt *May* 8, 331  
*Volunteer Decorations*, Q. Earl of Onslow ; A. Lord Sandhurst *May* 15, 865
- Assam, Trials by Jury in*, Q. Mr. Paul ; A. Mr. G. Russell *May* 11, 633  
*Bengal, Trials by Jury in*, Q. Mr. Paul ; A. Mr. G. Russell *May* 18, 1239  
*Bhopal-Ujjain Railway*, Q. Mr. Caine ; A. Mr. G. Russell *May* 8, 324  
*Bombay Presidency Police Court*, Q. Sir W. Wedderburn ; A. Mr. G. Russell *May* 16, 1040  
*Budget*, Qs. Mr. Caine, Lord R. Churchill ; As. Mr. W. E. Gladstone *May* 8, 340

## CALCUTTA

- High Court Judges and the Government of Bengal*, Q. Mr. Jeffreys ; A. Mr. G. Russell *May* 18, 1250  
*Small Cause Court—Appointment of Mr. Ormond*, Qs. Sir W. Wedderburn, Mr. Hunter ; As. Mr. G. Russell *May* 11, 639
- Currency Committee*, Q. Mr. Macfarlane ; A. Mr. W. E. Gladstone *May* 4, 76 ; Qs. Mr. Chaplin, Sir W. Houldsworth ; As. Sir W. Harcourt *June* 1, 1751
- Executive and Judicial Functions*, Explanation (Earl of Kimberley) *May* 9, 429  
*Factory Act*, Qs. Mr. Provand, Sir J. Gorst ; As. Mr. G. Russell *May* 11, 648  
*Hemp Drugs*, Q. Mr. Caine ; A. Mr. G. Russell *May* 15, 910  
*Home Charges*, Motion for an Address (Earl of Northbrook) *May* 15, 866  
*Mortality in*, Q. Mr. Schwann ; A. Mr. G. Russell *May* 12, 774  
*Phillips, Mr., Case of*, Motion for an Address (Lord Stanley of Alderley) *May* 8, 307  
*Progress of*, Qs. Mr. Naoroji ; As. Mr. G. Russell *May* 5, 193 ; *May* 9, 451  
*Public Works Department—Complaints*, Q. Mr. Talbot ; A. Mr. G. Russell *May* 12, 770  
*Return—Lord Lytton's Note*, Q. Mr. Naoroji ; A. Mr. G. Russell *May* 5, 194  
*Salt Duty*, Q. Mr. Caine ; A. Mr. G. Russell *May* 8, 323  
*Supreme Legislative Council*, Q. Sir W. Wedderburn ; A. Mr. G. Russell *May* 16, 1039  
*Telegraph Department*, Q. Sir S. King ; A. Mr. G. Russell *May* 4, 48 ; Q. Mr. Lawrence ; A. Mr. G. Russell *May* 11, 630

*Inland Revenue* (see title *Customs, Excise, and Inland Revenue*)

## IRELAND

- Lord Lieutenant—Lord HOUGHTON  
 Chief Secretary—Mr. JOHN MORLEY  
*Armagh, Open Drains in*, Q. Mr. E. M'Hugh ; A. Mr. J. Morley *June* 1, 1741

## ARMY

- Belfast, Troops for*, Q. Sir T. Lea ; A. Mr. Campbell-Bannerman *May* 30, 1538  
*Dublin Main Drainage Scheme*, Qs. Dr. Kenny, Mr. Field, Mr. W. Kenny ; As. Mr. Campbell-Bannerman *May* 16, 1043  
*Leinster Regiment at Aldershot—"The Queen and no Home Rule,"* Q. Mr. P. J. O'Brien ; A. Mr. Campbell-Bannerman *May* 30, 1539  
*Medical Staff Examinations*, Qs. Dr. Kenny ; As. Mr. Campbell-Bannerman *May* 12, 773 ; Qs. Dr. Kenny, Mr. Carson ; As. Mr. Campbell-Bannerman *May* 16, 1047  
*O'Keefe, Michael—Case of*, Q. Mr. Flynn ; A. Mr. Campbell-Bannerman *May* 15, 898  
*Tipperary Barracks*, Q. Mr. W. Redmond ; A. Mr. Campbell-Bannerman *June* 1, 1759
- Bankruptcy Law*, Q. Mr. Field ; A. Mr. J. Morley *May* 15, 909  
*Belfast, State of—Article in "The Irish Catholic,"* Q. Mr. W. Johnston ; A. Mr. J. Morley *May* 11, 624

## BOYCOTTING

- Clare County—O'Brien and Murray*, Qs. Mr. H. Plunkett, Mr. Flynn ; As. Mr. J. Morley *May* 9, 457  
*Cork—Case of Davidson and Connor*, Qs. Mr. Dane, Mr. Flynn ; As. Mr. J. Morley *May* 15, 918 ; Qs. Mr. W. Kenny, Mr. Flynn ; As. Mr. J. Morley *June* 1, 1742  
*Fermanagh*, Q. Mr. Dane ; A. Mr. J. Morley *May* 4, 68  
*Killavullen—Speech by Thomas Barry*, Qs. Mr. Arnold-Forster, Mr. Carson, Mr. W. O'Brien, Mr. Flynn ; As. Mr. J. Morley *May* 16, 1048
- Boys' Training Ships*, Qs. Mr. Field, Mr. Arnold-Forster, Captain Donelan, Mr. Flynn ; As. Sir U. Kay-Shuttleworth *June* 1, 1754  
*Brady, Sir T.* (see Sub-heading *Fisheries*)  
*Channel Squadron*, Q. Mr. Field ; A. Mr. E. Robertson *May* 15, 910  
*Church Temporalities Fund and the Government of Ireland Bill*, Qs. Mr. Aird, Mr. Goschen, Mr. Sexton ; As. Mr. J. Morley *May* 11, 632  
*Clare, Outrages in* (see Sub-heading *Crimes and Outrages*)  
*Clogheen, Disturbances at*, Q. Mr. O'Neill ; A. Mr. J. Morley *May* 4, 50  
*Clonmel, Disturbances at*, Q. Mr. Dane ; A. Mr. J. Morley *May* 4, 67
- CRIMES AND OUTRAGES**  
*Blood, Mr. Binden—Attacks on*, Qs. Mr. Arnold-Forster, Mr. T. M. Healy, Mr. Carson ; As. Mr. J. Morley *May* 9, 456  
*Clare, Kerry, and Limerick Counties*, Q. Mr. T. W. Russell ; A. Mr. J. Morley *May* 5, 194 ; Q. Mr. Dane ; A. Mr. J.

[cont.]



## IRELAND—CRIMES AND OUTRAGES—cont.

Morley *May* 18, 1252; Qs. Mr. T. W. Russell, Mr. Sexton, Mr. Macartney; As. Mr. J. Morley *May* 29, 1421; Qs. Mr. Smith-Barry, Mr. Macartney, Mr. Sexton; As. Mr. J. Morley *May* 30, 1532; Q., Obs. Marquess of Londonderry, Marquess of Salisbury, Earl of Kimberley; Debate adjourned *June* 1, 1713; Qs. Mr. Dane, Mr. W. Kenny; As. Mr. J. Morley *June* 1, 1734

*Notice of Motion* (Mr. Macartney) *May* 18, 1279

*References to in Debate in Com. of Supply* *May* 30, 1630, &c.,

*Motion for Adjournment of the House* (Mr. Arnold-Forster) *June* 1, 1771

*Cork County—Moonlighting, &c.*, Q. Mr. Arnold-Forster; A. Mr. J. Morley *May* 8, 333

*Doon—Patrick Maguire*, Q. Mr. Dane; A. Mr. J. Morley *May* 4, 54

*Dynamite Explosion at Dublin*, Q. Mr. Wrightson; A. Mr. J. Morley *May* 8, 343

*Killavullen—Setting Fire to Farms*, Q. Mr. Arnold-Forster; A. Mr. J. Morley *May* 15, 1047

*Landford Estate Dispute*, Q. Mr. Arnold-Forster; A. Mr. J. Morley *May* 8, 331

*Tulla—Mrs. Perry's Horse*, Q. Mr. Arnold-Forster; A. Mr. J. Morley *May* 11, 644

*Wicklow County*, Qs. Mr. Dane, Mr. Sexton; As. Mr. Asquith *May* 19, 1366

## CUSTOMS, EXCISE, AND INLAND REVENUE

*Dublin Inland Revenue Department*, Q. Dr. Kenny; A. Sir J. T. Hibbert *May* 12, 775

*Gun Licences—Case of Mr. Cotter*, Q. Mr. Gilhooly; A. Mr. J. Morley *May* 18, 1244

*Income Tax—Land Assessment*, Qs. Mr. Logan; As. Sir J. T. Hibbert *May* 4, 58; *May* 15, 896; *May* 19, 1366

*Tobacco Duties*, Q. Mr. Dane; A. Sir W. Harcourt *May* 4, 54

*Devitt, Mr.—Resignation of*, Q. Mr. Sexton; A. Mr. Speaker *May* 10, 546

*Distraints—Sir T. Esmonde's Tenants*, Q. and Obs. Mr. W. Johnston, Mr. J. Morley, Sir T. Esmonde *May* 18, 1236

*Dublin, Mr. A. J. Balfour's Visit to—Persons Injured*, Q. Mr. W. Johnston; A. Mr. J. Morley *May* 4, 62

*Dublin Main Drainage Scheme* (see Sub-heading *Army*)

*Dunnsany Co-operative Stores and Poor Law Contracts* (see Sub-heading *Poor Law*)

*Dunshaughlin Union Contracts* (see Sub-heading *Poor Law*)

## EDUCATION

*Corratavy National School*, Q. Mr. Dane; A. Mr. J. Morley *May* 15, 919

*Dublin Training College*, Q. Mr. Field; A. Mr. J. Morley *May* 11, 652

*Education Department Clerks—Over-time*, Q. Mr. T. W. Russell; A. Mr. J. Morley *May* 4, 49

*Legnatraghta Schoolmaster*, Q. Mr. Dane; A. Mr. J. Morley *May* 15, 912

[cont.

## IRELAND—EDUCATION—cont.

*Science and Art Schools under Home Rule*, Q. Mr. W. Kenny; A. Mr. Acland *May* 30, 1544

*Esmonde's, Sir T., Tenants* (see Sub-heading *Distraints*)

*Eriect Tenants Commission—Legislation*, Q. Mr. Arnold-Forster; A. Mr. J. Morley *May* 4, 70; Q. Mr. Bartley; A. Mr. J. Morley *June* 1, 1753

## FISHERIES

*Brady, Sir T.—Pension*, Qs. Mr. W. O'Brien, Mr. W. Johnston, Mr. W. Redmond; As. Sir J. T. Hibbert *May* 11, 620; Qs. Mr. Field, Mr. Hanbury, Mr. Carson, Mr. Macartney; As. Sir J. T. Hibbert *May* 18, 1248; Qs. Mr. W. O'Brien, Mr. Dane; As. Sir J. T. Hibbert *May* 19, 1368; Q. Mr. Dane; A. Sir J. T. Hibbert *June* 1, 1762

*Herring and Mackerel—Inspector's Report*, Q. Mr. Flynn; A. Mr. J. Morley *May* 5, 197

*Franchise, £20*, Qs. Mr. Saunders, Mr. W. McLaren; As. Mr. W. E. Gladstone, Mr. J. Morley *May* 15, 927

*Guaranteed Land Stock and the Government of Ireland Bill*, Q. Mr. Jackson; A. Mr. W. E. Gladstone *May* 15, 925; Q. Mr. Bartley; A. Mr. W. E. Gladstone *May* 16, 1053

*Harbours, Improvement of, and the Irish Church Fund*, Q. Mr. Field; A. Sir J. T. Hibbert *May* 9, 447

*Haulbouline Dockyard—Repairs of H.M. Ships*, Q. Captain Donelau; A. Mr. E. Robertson *May* 4, 64; Q. Mr. W. Redmond; A. Mr. E. Robertson *May* 8, 340

*Imperial Parliament—Retention of the Irish Members*, Q. Mr. J. Chamberlain; A. Mr. W. E. Gladstone *May* 8, 341

*Irish Channel, Attempted Suicide in—Lady in Charge of Nuns*, Qs. Colonel Sandys, Mr. Sexton; As. Mr. Asquith *May* 18, 1239

*Irish Under Secretary's Salary*, Qs. Mr. Dane, Mr. T. M. Healy, Mr. Carson; As. Mr. J. Morley *May* 18, 1257

*Labourers' Cottages Ballymena Union*, Q. Colonel Waring; A. Mr. J. Morley *May* 8, 336

*Land Assessments* (see sub-heading *Customs and Inland Revenue—Income Tax*)

*Land Commission Proceedings*, Copy pres. *May* 10, 608

*Land Commission (Purchase of Land Act, 1891)*, Copy pres. *June* 1, 1856

*Land Grabbing, Denunciation of*, Qs. Mr. Smith-Barry, Mr. T. M. Healy, Mr. Sexton; As. Mr. J. Morley *May* 18, 1270; Q. Mr. T. W. Russell; A. Mr. J. Morley *June* 1, 1760

*Land Purchase Acts—Government of Ireland Bill*, Q. Mr. Bartley; A. Mr. W. E. Gladstone *June* 1, 1763

*Land Purchase Returns*, Q. Mr. J. E. Ellis; A. Mr. J. Morley *May* 4, 48

*Landford Estate Dispute* (see Sub-heading *Crimes and Outrages*)

[cont.

## IRELAND—cont.

## LAW AND JUSTICE AND POLICE

- Bankruptcy Law*, Q. Mr. Field ; A. Mr. J. Morley May 15, 909
- Carron, John—Case of*, Q. Mr. Dane ; A. Mr. Asquith May 19, 1365 ; Qs. Mr. Dane, Mr. T. M. Healy ; As. Mr. J. Morley June 1, 1735
- Clerks of the Peace and Local Registration of Title Act* (see Sub-heading *Local Registration of Title Act*)
- Cork, Extra Police in*, Q. Mr. W. O'Brien ; A. Mr. J. Morley June 1, 1747
- Doherty, Hugh—Case of*, Q. Mr. T. M. Healy ; A. Mr. J. Morley June 1, 1743
- Hunter, John—Conviction of*, Qs. Sir T. Lea, Mr. T. M. Healy, Mr. Sexton ; As. Mr. J. Morley May 11, 643
- Kilmainham Prison Warders*, Q. Mr. Field ; A. Mr. J. Morley May 12, 769
- Magistracy* (see that Sub-heading)
- Oath, Administration of*, Q. Mr. T. W. Russell ; A. Mr. J. Morley May 4, 49
- Police Allowances*, Qs. Mr. T. M. Healy ; As. Mr. J. Morley May 11, 625 ; May 18, 1246
- Royal Irish Constabulary Force Fund, Winding-up of*, Q. Mr. M. Healy ; A. Mr. J. Morley May 9, 449 ; Q. Mr. Mains ; A. Mr. J. Morley May 18, 1243
- Local Registration of Title Act—Clerks of the Crown and Peace*, Q. Mr. M. Healy ; A. Sir J. T. Hibbert May 18, 1264 ; Q. Mr. Macartney ; A. Sir J. T. Hibbert June 1, 1764

## LUNATIC ASYLUMS

- Home Rule Petitions*, Q. Mr. T. M. Healy ; A. Mr. J. Morley May 9, 457
- Visiting Medical Officers*, Qs. Dr. Kenny, Mr. W. Johnston ; As. Mr. J. Morley May 11, 652 ; Q. Dr. Kenny ; A. Mr. J. Morley May 16, 1051

## MAGISTRACY

- Commission of the Peace, Returns*, Q. Mr. P. A. M'Hugh ; A. Mr. J. Morley May 15, 917
- County Magistrates—Appointments*, Q. Mr. P. A. M'Hugh ; A. Mr. J. Morley May 30, 1529
- Gun Licences—Case of Mr. Cotter*, Q. Mr. Gilhooly ; A. Mr. J. Morley May 18, 1244
- Leitrim*, Qs. Mr. P. A. M'Hugh, Mr. Macartney, Mr. Dane ; As. Mr. J. Morley, Mr. Speaker May 12, 783 ; Qs. Mr. P. A. M'Hugh ; As. Mr. J. Morley May 15, 915 ; May 18, 1247
- Licensed Publicans as Magistrates*, Qs. Mr. P. A. M'Hugh, Mr. P. Williams, Mr. T. W. Russell ; As. Mr. J. Morley May 15, 916
- Resident Magistrates and the Government of Ireland Bill*, Q. Captain M'Calmont ; A. Mr. J. Morley May 12, 785
- Moonlighting* (see Sub-heading *Crimes and Outrages*)
- Norwegian Analogy to Irish Home Rule*, Qs. Colonel H. Vincent, Mr. Sexton, Mr. W. Johnston ; As. Mr. W. E. Gladstone, Mr. Speaker May 4, 74
- Pawnbrokers' Return*, Copy pres. May 18, 1356

## IRELAND—cont.

## POOR LAW

- Dublin Elections*, Qs. Mr. Field, Mr. W. Kenny ; As. Mr. J. Morley May 18, 1259
- Dunshaughlin Union Contracts—Dunsany Store Company*, Qs. Mr. W. Redmond, Mr. H. Plunkett, Mr. T. M. Healy ; As. Mr. Speaker, Mr. J. Morley May 18, 1277 ; Q. Mr. W. Redmond ; A. Mr. J. Morley June 1, 1757
- Swinford Union Contracts and the Board of Guardians*, Q. Mr. Hayden ; A. Mr. J. Morley May 4, 70

## POST OFFICE

- American Mails—Queenstown and Southampton Route, &c.*, Qs. Mr. Macartney, Mr. Flynn ; As. Mr. A. Morley May 12, 787 ; Qs. Mr. Forwood, Mr. Macartney, Mr. T. M. Healy ; As. Mr. A. Morley May 18, 1268
- Clogher, Portadown, and Enniskillen Irregularities*, Qs. Mr. Macartney, Mr. T. W. Russell, Mr. Dane ; As. Mr. A. Morley May 12, 771
- County Carlow Service*, Q. Mr. W. Redmond ; A. Mr. A. Morley May 8, 337
- Doonaha, County Clare*, Q. Mr. Maguire ; A. Mr. A. Morley June 1, 1765
- Dublin—Female Telegraphists*, Q. Mr. T. M. Healy ; A. Mr. A. Morley May 11, 625
- Garrydoolia Service*, Q. Mr. Finucane ; A. Mr. A. Morley May 8, 330
- General Office*, Q. Mr. W. Redmond ; A. Mr. A. Morley May 11, 622
- Post Office Property and Home Rule*, Qs. Sir J. B. Maple, Mr. A. J. Balfour ; As. Mr. W. E. Gladstone May 15, 923
- Postal Service—Number of Letters, Parcels, &c.*, Q. Mr. H. Plunkett ; A. Mr. A. Morley June 1, 1765
- Roscommon Service*, Q. Mr. Hayden ; A. Mr. A. Morley May 19, 1362
- Urrlingford Telegraph Service*, Q. Mr. W. Redmond ; A. Mr. A. Morley May 18, 1235
- Property Qualification Bill*, Q. Mr. Saunders ; A. Mr. W. E. Gladstone May 30, 1547
- Purchases under Land Acts and the Government of Ireland Bill* (Refer to Sub-heading *Guaranteed Land Stock*)

## RAILWAYS

- Accident, Inquiry into*, Q. Sir T. Esmonde ; A. Mr. Mundella May 20, 1549
- Dublin, Wicklow, and Wexford*, Q. Mr. Dane ; A. Mr. Mundella May 18, 1258
- Rates*, Q. Mr. W. Redmond ; A. Mr. Mundella May 11, 631 ; Q. Mr. Coltery ; A. Mr. Mundella May 15, 917 ; Q. Mr. W. Redmond ; A. Mr. Mundella May 16, 1051 ; Q. Mr. Coltery ; A. Mr. Mundella May 18, 1249 ; Q. Mr. T. M. Healy ; A. Mr. Mundella May 18, 1270 ; Qs. Mr. W. Redmond, Mr. T. M. Healy ; As. Mr. Mundella May 19, 1361 ; Q. Mr. W. Redmond ; A. Mr. Mundella June 1, 1759
- Tralee and Dingle—Sparks Setting Fire to Houses*, Qs. Sir T. Esmonde ; As. Mr. Mundella May 15, 904 ; May 18, 1249

[cont.]

[cont.]

## IRELAND—cont.

- Registration of Electors*, Q. Mr. T. W. Russell; A. Mr. J. Morley *May* 4, 50  
*Republican Flag in America*, Q. Mr. Darling; A. Mr. W. E. Gladstone *May* 12, 787; Qs. Mr. Darling, Mr. A. O'Connor; As. Sir E. Grey *May* 15, 925  
*Revenue of the Irish Government under Government of Ireland Bill*, Q. Mr. Brodrick; A. Sir W. Harcourt *May* 30, 1543  
*Securities, Value of*, Q. Mr. Bodkin; A. Sir W. Harcourt *May* 8, 344  
*Seed Loans*, Q. Mr. Sexton; A. Mr. J. Morley *May* 15, 921  
*Templemore's, Lord, Tenants*, Qs. Mr. T. W. Russell, Mr. Thomas Healy; As. Mr. J. Morley *May* 5, 196  
*Ulster and Home Rule*, Qs. Mr. T. W. Russell, Mr. Sexton; As. Mr. Speaker, Mr. W. E. Gladstone *May* 4, 79  
*Union Jack—Displaying on Licensed Premises*, Qs. Sir T. Lea, Mr. Macartney, Mr. J. E. Ellis, Mr. T. M. Healy; As. Mr. J. Morley *May* 30, 1536; Qs. Mr. T. M. Healy, Mr. Carson; As. Mr. J. Morley *June* 1, 1757  
*Weights and Measures, Inspectors of*, Q. Captain M'Calmont; A. Mr. Mundella *June* 1, 1734

*Irish Channel, Attempted Suicide in—Lady in Charge of Nuns*

Qs. Colonel Sandys, Mr. Sexton; As. Mr. Asquith *May* 18, 1239

**Irish Education Act (1892) Amendment (No. 2) Bill**

c. Intro. Mr. J. Morley; Read 1<sup>o</sup> *May* 8, 345

*Irish Land Commission (Proceedings)*

Copy pres. *May* 10, 608

*Irish Land Commission—Purchase of Land (Ireland) Act, 1891*

Copy pres. *June* 1, 1856

**Irish Police Enfranchisement Bill**

c. 2R. deferred *May* 29, 1523

**ISAACSON, Mr. F. W., *Tower Hamlets, Stepney***

Barge Owners' Liability Bill, 2R. 1853  
 Statute Law Revision (No. 1) Bill, 2R. 1851  
 Watermen and Lightermen's Act Amendment Bill, 2R. 1853

**JACKS, Mr. W., *Stirlingshire***

Railway Rates, 191, 192

**JACKSON, Right Hon. W. L., *Leeds, N.***

Government of Ireland Bill, 202  
 Guaranteed Land Stock, 925  
 "Labour Gazette," 1242  
 Supply  
 Admiralty Buildings, 244, 245  
 Carlisle Pier, 1469  
 London Police Courts, 1294, 1295  
 Revenue Department Buildings, 1398, 1399  
 Science and Art Buildings, 1304, 1320, 1321, 1323, 1324, 1329, 1333

**JAMES, Right Hon. Sir H., *Bury, Lancashire***

Factory and Workshop Act (1891) Amendment Bill, Intro. 542  
 Government of Ireland Bill, Com., *Clause I. (First Night)*, 376, 377; (*Sixth Night*), *Clause II.* 671; (*Seventh Night*), Amendt. 1080, 1084, 1086, 1087, 1088, 1092, 1098, 1099, 1116, 1117, 1127; (*Tenth Night*), *Clause III.* 1658, 1659; (*Eleventh Night*), 1819, 1836  
 Lancashire Chancery Court, 51

**JEFFREYS, Mr. A. F., *Hants, Basingstoke***

Calcutta—High Court Judges, and the Bengal Government, 1250  
 Customs and Inland Revenue Bill, Com. 165; Con. 254  
 National School Windows 1233  
 Supply  
 Houses of Parliament Buildings, 230  
 Ordnance Survey, 1429, 1434, 1437  
 Swine Fever, 1256

**JOHNSON-FERGUSON, Mr. J. E., *Leicester, Loughborough***

John Lambert Charity, 457  
 Supply—National Gallery, 1404

**JOHNSTON, Mr. W., *Belfast, S.***

Ascension Day, Res. 547  
 Government of Ireland Bill, Com., *Clause I.* 682  
 Ireland  
 Belfast, State of—Article in "*The Irish Catholic*," 624  
 Brady, Sir T.—Pension, 620  
 Dublin, Mr. A. J. Balfour's Visit to, 62  
 Esmonde's, Sir T., Tenants, 1236  
 Lunatic Asylums—Visiting Medical Officers, 653  
 Norwegian Analogy to Irish Home Rule, 76  
 Railway Rates and Charges, Select Com. 1006  
 Supply—House of Commons Smoking Room, 231

**JONES, Major E. R., *Carmarthen, &c.***

Water Provisional Orders (No. 2) Bill, 2R. 1162

**Justices of the Peace (No. 3) Bill**

c. Intro. Mr. Luttrell; Read 1<sup>o</sup> *May* 16, 1153

**Justices of the Peace Qualification Repeal Bill**

c. Intro. Mr. A. Morton; Read 1<sup>o</sup> *May* 9, 542

**Kanaka Labour Traffic (see AUSTRALIA)**

**KAY - SHUTTLEWORTH, RIGHT**  
**HON. SIR U.** (Secretary to the  
 Admiralty), *Lancashire, Clitheroe*  
 Admiralty Contracts—Foreign Firms, 1535  
 Boys' Training Ships for Ireland, 1755  
 Mediterranean Fleet—H.M.S. "*Phaeton*,"  
 &c. 1746, 1760

**KEARLEY, Mr. H. E., Devonport**  
 Devonport Dockyard—Pay Day in and  
 Transfer Privileges, 1253, 1254  
 Dockyard Classification, 1745

**KENNAWAY, Sir J. H., Devon, Honiton**  
 London and South Western Railway Bill, 3R.  
 443

**KENNY, Dr. J. E., Dublin, College**  
*Green*

Ireland  
 Dublin Inland Revenue Department, 775  
 Dublin Main Drainage Scheme, 1043  
 Lunatic Asylums—Visiting Medical  
 Officers, 652, 1051  
 Medical Staff Examinations, 773, 774,  
 1047, 1048

**KENNY, Mr. W., Dublin, St. Stephen's**  
*Green*

Financial Clauses of the Home Rule Bill,  
 926

Ireland  
 Clare, Moonlighting in, 1734, 1735  
 Cork, Boycotting in, 1742  
 Dublin Guardians' Election, 1260  
 Dublin Main Drainage Scheme, 1044  
 Science and Art Schools under Home Rule,  
 1344

Supply—Royal Dublin Society Lecture  
 Theatre, 1469

**KENSINGTON, Lord**  
 Quit-Rents, Claims for, 889, 890

**KENTON-SLANEY, Colonel W., Shrop-**  
*shire, Newport*  
 Army—Special Service Pensions, 1726, 1727

**KIMBER, Mr. H., Wandsworth**  
 Government of Ireland Bill, Com., *Clause II.*,  
 Amendt. 1088, 1091  
 London County Council (General Powers)  
 Bill, 3R. 444, 447  
 London Improvements Bill, Nomination of  
 Select Com. 614, 617, 619

**KIMBERLEY, EARL OF** (Lord President  
 of the Council and Secretary of State  
 for India)  
 Barbed Wire Fences Bill, Com. 759, 760, 764,  
 765  
 Elementary Education (Religious Instruction)  
 Bill, 2R. 37  
 Foreign and Colonial Imports, Select Com.  
 438, 439, 440

[cont.

**KIMBERLEY, Earl of—cont.**

India  
 Executive and Judicial Functions—  
 Personal Explanation, 429  
 Home Charges, Motion for an Address,  
 876, 882, 883, 884  
 Phillips, Mr., Case of, Res. 312  
 Ireland—County Limerick, Lawlessness in,  
 1720, 1721  
 Licensing Boards Bill, 2R. 740, 747  
 London Streets (Removal of Gates) Bill, 3R.  
 1526  
 Madras and Bombay Armies Bill, 2R. 1, 15,  
 17, 29; Com. 1013, 1014, 1016, 1017  
 Official Liquidators (Ireland) Bill, Com. 176  
 Quit-Rents, Claims for, 890  
 Sale of Intoxicating Liquors (Ireland) Bill,  
 Com. 1217, 1218  
 Scottish Education Code, 1527  
 Whitsuntide Recess, 733  
 Wild Birds Protection Bill, 2R. 1697

**KING, Sir H. S., Hull, Central**  
 India  
 Army—Officers' Furlough Pay, 1421  
 Telegraph Department, 48

**KINLOCH, Sir J. G. S., Perth, E.**  
 Registration of Voters (Scotland) Bill, 462

**KNATCHBULL-HUGESSEN, Mr. H. T.,**  
*Kent, Faversham*  
 Dockyard Classification, 1745  
 House of Commons—Division Lobbies, Ventila-  
 tion of, 647

**KNOWLES, Mr. LEES, Salford, W.**  
 Plumbers' Registration Bill, Com. 1690

**KNUTSFORD, Lord**  
 Sale of Intoxicating Liquors (Ireland) Bill,  
 Com. 1217, 1218  
 Whitsuntide Recess, 733

**LABOUCHERE, Mr. H., Northampton**  
 Alderney, Constitution of, 918  
 Army Pay Audits, 1770  
 Ascension Day, Res. 547, 548  
 Closure, 790  
 Government of Ireland Bill, Com., *Clause I.*  
 507, 531, 584  
 House of Commons—Sitting Accommodation,  
 129  
 Lodgers' Letters—Officially Redirected, 64  
 Mashonaland Development (Willoughby's)  
 Company, 70, 72  
 Museums, Provincial—Grant in Aid, 1267  
 Shipping Federation, Res. 117

Supply  
 Diplomatic and Consular Buildings, 1343  
 Houses of Parliament Buildings, 230  
 London Police Courts, 250, 251, 252, 1293,  
 1294  
 Science and Art Buildings, 1310, 1311  
 Triple Alliance, 1738  
 Uganda—Sir G. Portal's Mission, 1731, 1733,  
 1734

**Labour Department**

*Arbitration*, Q. Mr. Howell; A. Mr. Mundella *May* 8, 337; Q. Mr. Cayzer; A. Mr. W. E. Gladstone *May* 16, 1053

Debate on in Com. of *Supply May* 29, 1515  
*Employers' Liability—Seamen*, Q. Mr. H. Foster; A. Mr. Asquith *May* 11, 629

*Government Department, Wages in*, Q. Mr. J. Burns; A. Mr. Campbell-Bannerman *May* 18, 1239; Q. Colonel Loyd; A. Mr. E. Robertson *May* 30, 1539

*Hull Dock Strike*, Q. Mr. K. Hardie; A. Mr. Asquith *May* 4, 60; Q. Mr. T. Robinson; A. Mr. Asquith *May* 4, 65; Q. Mr. K. Hardie; A. Mr. Asquith *May* 4, 78; Qs. Mr. Darling; As. Mr. Asquith *May* 5, 201; *May* 11, 651; *May* 12, 784

*Shipping Federation*, Motion for Adjournment of the House *May* 4, 81,

"*Labour Gazette*," Q. Mr. Forwood; A. Mr. Mundella *May* 16, 1043; Qs. Mr. Leng, Mr. Jackson; As. Mr. Mundella *May* 18, 1242; Qs. Mr. G. Bowles, Colonel H. Vincent; As. Mr. Mundella *May* 18, 1274; Q. Mr. G. Bowles; A. Mr. Mundella *May* 30, 1543

*Local Correspondents*, Qs. Mr. E. Spencer, Mr. Bartley; As. Mr. Mundella *May* 8, 338

*Royal Parks, Labourers' Wages*, Q. Mr. J. Stuart; A. Mr. Shaw Lefevre *May* 19, 1370

*Shops, Hours of Labour in—Legislation*, Qs. Sir J. Lubbock, Mr. Bartley; As. Mr. W. E. Gladstone *May* 4, 76

*Trade Unions and Technical Education*, Q. Mr. A. Gibbs; A. Mr. Acland *May* 18, 1234

**Labour Dispute (Arbitration) Bill**

c. Order for 2R. read and deferred *May* 18, 1351

**Labour Dispute (Arbitration) Bill**

Q. Sir R. Temple; A. Mr. W. E. Gladstone *May* 30, 1547

**Labourers (Ireland) Act (Extension to Fishermen) Bill**

c. Intro. Sir T. Esmonde; Read 1<sup>o</sup> *May* 9, 542

**Land, Income from (see Income Tax under Customs, &c.)****Land Tax Commissioners' Names Bill**

c. 2R. deferred *May* 29, 1521

**Law and Justice and Police**

Secretary of State for the Home Department—Mr. ASQUITH

Under Secretary of State—Mr. H. J. GLADSTONE

*Burglaries at South Kensington*, Q. Sir A. Borthwick; A. Mr. Asquith *May* 19, 1362

*Company Law*, Q. Mr. S. Evans; A. Mr. Mundella *May* 11, 631; Qs. Mr. T. Bayley, Mr. Addison; As. Mr. Mundella *May* 15, 924

**Law and Justice and Police—cont.**

*Estreated Bail*, Q. Mr. Caine; A. Mr. Asquith *May* 4, 59; Q. Sir J. Goldsmid; A. Mr. Asquith *May* 8, 335

*Hansard Union Prosecution*, Qs. Mr. P. Williams, Lord R. Churchill; As. Sir J. T. Hibbert *May* 15, 902; Q. Mr. G. Balfour; A. Mr. Mundella *May* 16, 1051; Qs. Mr. P. Williams, Mr. G. Balfour, Mr. T. M. Healy; As. Sir J. T. Hibbert *May* 18, 1245

*High Court of Justice, Rules of*, Q. Mr. Greene; A. Mr. Asquith *May* 19, 1360

*Holloway, The Late Thomas—Will of*, Q. Mr. A. C. Morton; A. Mr. Asquith *June* 1, 1767

*Lancashire Chancery Court*, Q. Sir H. James; A. Mr. Bryce *May* 4, 51

*Liberator Frauds—Mr. J. S. Balfour*, Q. Mr. Hanbury; A. Sir E. Grey *May* 9, 453; Q. Mr. Howell; A. Sir E. Grey *May* 16, 1041

*London Police Courts*, Debate in Com. of *Supply May* 5, 249, &c.; *May* 18, 1288

**MAGISTRACY**

*County and Borough Magistrates—Appointments and Politics, Lancashire, &c.*, Qs. Mr. Hobhouse, Mr. J. E. Ellis; As. Mr. Asquith *May* 4, 68; Qs. Mr. Hanbury; As. Mr. Bryce *May* 8, 322  
Res. (Sir C. W. Dilke) *May* 5, 258  
Memorandum ordered (Viscount Cross) *May* 16, 1039; Pres. *June* 1, 1722

*Metropolitan*, Q. Mr. Whitmore; A. Mr. Asquith *May* 15, 914

*Working-men Magistrates*, Qs. Mr. Saunders, Mr. Darling, Mr. Stuart-Wortley; As. Mr. Bryce, Mr. Asquith *May* 15, 920

*Marlborough Street Police Court*, Q. Mr. Boulnois; A. Mr. Asquith *May* 11, 632

*National Sporting Club*, Q. Mr. A. C. Morton; A. Mr. Asquith *June* 1, 1748

*Newcastle-Emlyn Assault Case*, Q. Mr. Griffith-Boscawen; A. Mr. Asquith *June* 1, 1769

*Oxford Tutor, Arrest of*, Qs. Mr. Byles; As. Mr. Asquith *May* 15, 930; *May* 18, 1261

*Police—Alleged Disturbances by Foreigners in Hyde Park*, Qs. Mr. Picton, Mr. Byles; As. Mr. Asquith *May* 15, 906

**PRISONS**

*Borstal*, Q. Viscount Cranborne; A. Mr. Asquith *May* 8, 342

*Schoolmasters*, Q. Mr. Mac Neill; A. Mr. Asquith *May* 15, 921

*Warders*—References to in Debate in Com. of *Supply May* 30, 1622, &c.

*Spalding—Murder of George Rolt*, Q. Mr. Lopes; A. Mr. Asquith *May* 18, 1251

*Walsh, Rev. F. B., Attack on*, Qs. Sir E. Ashmead-Bartlett; As. Mr. Asquith *May* 8, 337; *May* 15, 927

References to in Debate in Com. of *Supply May* 29, 1494

**Law of Distress (Ireland) Bill**

i. Reported from Standing Com. *May* 9, 440

Amendts. reported *May* 12, 767

Read 3<sup>o</sup> with Amendts., and passed *May* 15, 896

**LAWRENCE, Mr. W. F., *Liverpool, Abercromby***

Arbitration Act (1889) Amendment Bill, 2R. 1853

Employers' Liability Bill, Appointment of Com. 215, 216

Supply—British Museum, 1302

Telegraph Department in India, 629

**LAWSON, Mr. H. L. W., *Gloucester, Cirencester***

Germany—Postal Arrangements with the Colonies, 58

Natal—Responsible Government, 1756

Thames Conservancy Board and the County Council *May* 4, 56

**LAWSON, Mr. J. G., *York, N.R., Thirsk***

Customs and Inland Revenue Bill, Com. 161, 165

Government of Ireland Bill, Com., *Clause I.* 666; *Clause II.* Amendt. 1130

Income Tax—"Schedule B," 72

**LAWSON, Sir W., *Cumberland, Cocker-mouth***

Parliament—Derby Day Adjournment, 930

Prohibited (Persons) Drink Bill, Intro. 1372

**LEA, Sir T., *Londonderry, S.***

Ascension Day Adjournment, 550

Government of Ireland Bill, Com., *Clause II.* 1681

Imperial Institute—State Function, 207

Ireland

Hunter, John, Case of, 643

Troops for Belfast, 1538

Union Jack, 1536

Supply

Condition of Ireland, 1630, 1637

Madagascar, 1505

**LECONFIELD, Earl of**

Quit-Rents, Claims for, 891

**LEFEVRE, Right Hon. G. J. SHAW  
(First Commissioner of Works),  
*Bradford, Central***

House of Commons

Electric Light, 636

Sitting Accommodation, 125, 126, 127, 899

Ventilation of Division Lobbies, 647

Liverpool Post Office, 452

London University Examination, 454

National Gallery—British Pictures, 57

Reformatory and Industrial School Inspectors' Staff, 1426

Royal Marriage—Erection of Stands in the Green Park, 1762

Royal Parks, Labour in, 1370

Supply

Admiralty Extension Buildings, 240, 242,

246, 248, 249, 425

County Courts, 251

Diplomatic and Consular Buildings, 1340, 1341, 1342, 1344

**LEFEVRE, Right Hon. G. J. Shaw—cont.**

Houses of Parliament Buildings, 231, 234, 236

Kew Gardens, 424

London Police Courts, 1298, 1300, 1301

Public Buildings, 1402, 1403, 1405

Revenue Department Buildings, 1387, 1389, 1390, 1392, 1399, 1400, 1401

Royal Palaces, 424

Royal Parks and Pleasure Gardens, 226, 228

Science and Art Buildings, 1301, 1302, 1303, 1304, 1306, 1313, 1319, 1320, 1321, 1323, 1324, 1329, 1330

**LEGH, Mr. T. W., *Lancashire, S.W., Newton***

Supply—Arabi Pasha, &c., 1506, 1507

**LEIGHTON, Mr. S., *Shropshire, Oswestry***

Bangor College, 636

Places of Worship Trust Deeds, 200

Village Schools—Head Teachers, 644

**LENG, Mr. J., *Dundee***

Board of Agriculture Publications, 1242

Crimean and Indian Mutiny Veterans' Pensions

"*Labour Gazette*," 1242

Museums, Provincial—Grant in Aid, 1267

Scotland—Artillery Practice at Barry, 1231

**LEWIS, Mr. J. H., *Flint, &c.***

Magistracy—Appointments and Politics, Res. 272

Parochial Charity Accounts, 328

Welsh Probate Registries, 786

**Licensed Premises, Display of Flags, &c., Bill**

*c.* Intro. Mr. T. M. Healy; Read 1<sup>o</sup> *May* 31, 1691

**Licensing**

*Spirit Dealers' Licences*, Q. Viscount Curzon; A. Sir W. Harcourt *May* 15, 903

**Licensing Boards Bill**

*l.* Order for 2R. read and negatived *May* 12, 733

**Lighthouses**

Debate on in Com. of *Supply May* 29, 1454, &c.

*Dues*, Q. Mr. G. Bowles; A. Mr. Mundella *May* 11, 646

**LIMERICK, Earl of**

Standing Orders, Con. 1220

**LINGEN, Lord**

Elementary Education (Religious Instruction) Bill, Com. 1706

**Liquor Traffic (Local Control) Bill**

*Spirit Dealers' Licences*, Q. Viscount Curzon; A. Sir W. Harcourt *May* 15, 903

LITTLE, Mr. T. S., *Whitehaven*  
Government of Ireland Bill, Com. 390

LLOYD-GEORGE, Mr. D., *Carnarvon, &c.*  
Water Provisional Orders (No. 2) Bill, 2R.  
1161

LLOYD, Mr. W., *Wednesbury*  
Government Contracts and Members of Par-  
liament, 627

Local Authorities Loans (Scotland) Act  
(1891) Amendment Bill

l. Read 3<sup>d</sup>, and passed *May 4, 47*  
Royal Assent *May 12, 733*

Local Government Act, 1888 (*Mon-  
mouth*)  
Copy pres. *May 18, 1356*

## LOCAL GOVERNMENT BOARD

President—Mr. H. H. FOWLER

Secretary—Sir W. FOSTER

*Anthrax* (see *Agriculture, Board of*)  
*Artizans' Dwellings in London*, Q. General  
Goldsworthy; A. Mr. H. H. Fowler *May 19,*  
*1364*

*Auditors*, Q. Mr. Weir; A. Sir J. T.  
Hibbert *May 19, 1368*

*Cholera Precautions—Seaport Towns*, Q. Mr.  
H. Foster; A. Mr. H. H. Fowler *May 4,*  
*61*; Q. Mr. Burnie; A. Mr. H. H. Fowler  
*May 18, 1251*

*Hampstead, Sewer Gas at*, Qs. Mr. Weir;  
As. Mr. H. H. Fowler *May 12, 778*;  
*May 19, 1359*

*Infectious Disease Patients, Transport of*, Q.  
Mr. Stephens; A. Mr. H. H. Fowler  
*May 15, 914*

*Leek Board of Guardians*, Q. Mr. Bill; A.  
Mr. H. H. Fowler *May 18, 1277*

*Milk, Analysis of*, Q. Lord R. Churchill; A.  
Mr. H. H. Fowler *May 30, 1530*

*Solicitors as Poor Law Guardians*, Q. Mr.  
Cobb; A. Mr. H. H. Fowler *May 15, 904*

*Tottenham Fever Hospital*, Q. Mr. Howard,  
A. Mr. H. H. Fowler *May 15, 906*; Q. Mr. J.  
Rowlands; A. Mr. H. H. Fowler *May 15,*  
*918*; Q. Mr. A. O'Connor; A. Mr. H. H.  
Fowler *May 16, 1047*

*Tuberculosis Commission* (see title *Agricul-  
ture*)

Local Government (Ireland) Provisional  
Order (No. 1) Bill

l. Read 2<sup>d</sup> *May 4, 47*  
Com.; Reported; Standing Com. negatived  
*May 5, 190*  
Read 3<sup>d</sup>, and passed *May 8, 316*  
Royal Assent *May 12, 733*

Local Government (Ireland) Provisional  
Order (No. 2) Bill

l. Read 2<sup>d</sup> *May 12, 767*  
Com.; Standing Com. negatived *May 15,*  
*895*  
Read 3<sup>d</sup>, and passed *May 16, 1038*

Local Government (Ireland) Provisional  
Order (No. 3) Bill

c. Read 2<sup>d</sup> *May 9, 541*  
Read 3<sup>d</sup>, and passed *May 19, 1418*  
l. Read 1<sup>d</sup> *May 30, 1528*

Local Government (Ireland) Provisional  
Order (No. 4) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 9, 541*  
Read 2<sup>d</sup> *May 16, 1155*  
Reported *June 1, 1854*

Local Government (Ireland) Provisional  
Order (No. 5) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 9, 541*  
Read 2<sup>d</sup> *May 19, 1419*  
Reported *June 1, 1854*

Local Government (Ireland) Provisional  
Order (No. 6) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 30, 1640*

Local Government (Ireland) Provisional  
Order (No. 7) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 30, 1640*

Local Government (Ireland) Provisional  
Order (No. 8) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 31, 1692*

Local Government (Ireland) Provisional  
Order (No. 9) Bill

c. Intro. Mr. J. Morley; Read 1<sup>d</sup> *May 31, 1692*

Local Government Provisional Order  
(Housing of the Working Classes)  
Bill

c. Read 2<sup>d</sup> *May 10, 607*  
Reported with Amendts. *May 18, 1354*  
Read 3<sup>d</sup>, and passed *May 19, 1418*  
l. Read 1<sup>d</sup> *May 30, 1528*

Local Government Provisional Order  
(Housing of the Working Classes)  
(No. 2) Bill

c. Intro. Sir W. Foster; Read 1<sup>d</sup> *May 19, 1420*

Local Government Provisional Orders  
(No. 4) Bill

c. Reported with Amendts. *May 18, 1354*  
As amended, Con. *May 19, 1418*  
Read 3<sup>d</sup>, and passed *May 29, 1524*  
l. Read 1<sup>d</sup> *May 30, 1528*

Local Government Provisional Orders  
(No. 9) Bill

c. Read 2<sup>d</sup> *May 10, 607*  
Reported with Amendts. *May 18, 1354*  
As amended, Con. *May 19, 1418*  
Read 3<sup>d</sup>, and passed *May 29, 1524*  
l. Read 1<sup>d</sup> *May 30, 1528*

**Local Government Provisional Orders  
(No. 10) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 5, 257  
Read 2° *May* 16, 1155

**Local Government Provisional Orders  
(No. 11) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 16, 1153  
Read 2° *May* 30, 1640

**Local Government Provisional Orders  
(No. 12) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 19, 1419

**Local Government Provisional Orders  
(No. 13) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 19, 1419

**Local Government Provisional Orders  
(No. 14) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 19, 1419

**Local Government Provisional Orders  
(No. 15) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 19, 1419

**Local Government Provisional Orders  
(No. 16) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 19, 1420

**Local Government Provisional Orders  
(No. 17) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 30, 1640

**Local Government Provisional Order  
(Poor Law) Bill**

*c.* Intro. Sir W. Foster ; Read 1° *May* 8, 427  
Read 2° *June* 1, 1723

**Local Taxation**

*Rating of Government Property*, Q. Mr. F. Frye ; A. Sir J. T. Hibbert *May* 8, 1266  
Debate on in Com. of *Supply May* 29, 1464, &c.

**LOCKWOOD, Lt.-Colonel A., Essex,  
Epping**

Customs and Inland Revenue Bill, Com. 163  
India—Anthrax, Inoculation against, 1728, 1729  
Supply  
International Law—Third Secretaries, 1504  
Revenue Buildings, 1400

**LOCKWOOD, Mr. F., York**  
Shipping Federation, Res. 110, 113

**LODER, Mr. G. W. E., Brighton**  
Parliamentary Papers, Distribution of, 1541, 1542

**LOGAN, Mr. J. W., Leicester, Har-  
borough**

Charity Commissioners—Case of Mr. Dunford, 775  
Government of Ireland Bill, Com., *Clause I.* 552 ; *Clause II.* 1172  
Income Tax—Land, 58, 896, 1366

**London (see Metropolis)**

**LONDON, Bishop of**  
Licensing Boards Bill, 2R. 733, 740, 763

**London and South Western Railway  
Bill**

*c.* Read 3°, and passed *May* 9, 441

**London County Council (General Powers)  
Bill**

*c.* Read 3°, and passed *May* 9, 443

**London (Equalisation of Rates) Bill**  
Q. Mr. Boulnois ; A. Mr. H. H. Fowler  
*May* 11, 632

**London Improvements Bill**

*c.* Nomination of Select Com.—Proceedings adjourned *May* 10, 545  
Select Com. nominated *May* 11, 611

**London Streets (Removal of Gates, &c.)  
Bill**

*l.* Read 3°, and passed, with Amendts. *May* 30, 1525

**London University Examinations**

Q. Sir J. Lubbock ; A. Mr. Shaw Lefevre  
*May* 9, 454

**LONDONDERRY, Marquess of**  
Ireland—County of Limerick, Lawlessness in, 1713

**LOPES, Mr. H. Y. B., Grantham**  
Rolt, George, Murder of, 1251

**LORD CHANCELLOR—Lord HERSCHELL**

**LOTHIAN, Marquess of**  
Burg Police (Scotland) Act Amendment Bill, 2R. 766 ; Com. 894

**LOUGH, Mr. T., Islington, W.**  
Clare, Kerry, Limerick, Crime in, Res. 1797  
Government of Ireland Bill, Com., *Clause II.* 1177

**LOWTHER, Mr. J. W., Cumberland, Pen-  
rith**  
National Gallery—Albert Dürer's Pictures, 913, 974



LOWTHER, Right Hon. James, *Kent, Thanet*

Agricultural Depression, 788

Government of Ireland Bill, Com., *Clause I.* 359, 360, 499, 563; *Clause III.* 1831, 1832, 1833

London Improvements Bill, Nomination of Com. 545, 611, 613, 616, 619

North Sea Fisheries Bill, Com. 1380

Questions in the House, 1371

## Supply

Employment of Discharged Soldiers, 1475

Houses of Parliament, 234

Lighthouses, 1400, 1401

Miscellaneous Legal Buildings, 250

Science and Art Buildings, 1312, 1313, 1333, 1334

Vote on Account, 1466

Walsh, Rev. F. B.—Attack on, 1501

LOYD, Colonel L. V., *Chatham*

Dockyard Wages, 1539

LUBBOCK, Right Hon. Sir J., *London University*

Early Closing Bill, Intro. 836; 2R. 1523

Elementary Education (School Attendance) Bill, 2R. 1850

Labour Dispute (Arbitration) Bill, 2R. 1352

London County Council (General Powers) Bill, 3R. 446

London University Examination, 454

Shops (Hours of Labour), Legislation, 76

Stamp Duty, 73

Statute Law Revision (No. 1) Bill, 2R. 1851

## Supply

London Police Courts, 253, 1288, 1296

London University, &amp;c. 1401, 1403

Post Office, 1394

Science and Art Buildings, 1332

Trade Disputes (Arbitration and Conciliation) Bill, 2R. 1523

Treasury Chest Fund Bill, Com. 1283

Lucas, Mr. S.—*A.R.A.*Q. Mr. S. Montagu; A. Sir E. Grey *May* 8, 321LUTTRELL, Mr. H. C. F., *Devon, Tavistock*

Board of Agriculture Publications, 198

Justices of the Peace (No. 3) Bill, Intro. 1153

Ship Rocket Apparatus, 199

MACARTNEY, Mr. W. E., *Antrim, S.*

American Mails, 787, 1268

Ascension Day, Res. 549

Government of Ireland Bill, Com., *Clause I.* 421, 499, 799, 801, 803; *Clause II.* 987, 1076, 1077; *Clause III.* 1562, 1677, 1837

## Ireland

Brady's, Sir T., Pension, 1249

Clare, Kerry, and Limerick, Crimes and Outrages in, 1279, 1423, 1533

Clogher, Portadown, and Enniskillen—Postal Irregularities, 771, 772, 773

Leitrim Magistracy—Mr. P. Fergus, 784, 916

**M'CARTHY, Mr. Justin, Longford, N.**  
Government of Ireland Bill, Com., *Clause I.*  
571, 573, 574, 659

**M'HUGH, Mr. E., Armagh, S.**  
Armagh, Open Drains in, 1741

**M'HUGH, Mr. P. A., Leitrim, N.**  
Ireland  
Commission of the Peace, Returns, 917  
County Magistracy, 1529  
Leitrim Magistracy, 783, 915, 916, 1247  
Magistrates as Licensed Publicans, 916

**M'LAGAN, Mr. P., Linlithgow**  
Public Petitions, Regulations as to, 67

**MCLAREN, Mr. W. S. B., Cheshire,**  
*Crewe*  
Irish Franchise, 927

**MADEN, Mr. J. H., Lancashire, Rossendale**  
Government of Ireland Bill, Com., *Clause II.*  
999, 1000, 1001

**Madras and Bombay Armies Bill**

*l.* Read 2<sup>a</sup> *May* 4, 1  
Com. ; Reported ; Re-Com. to Standing  
Com. *May* 16, 1009  
Reported *May* 30, 1523  
Amendts. reported *June* 1, 1722

**Magistracy** (see *Law and Justice and Police*)

**Magistrates' Qualification (No. 2) Bill**  
*c.* Intro. Mr. Dodd ; Read 1<sup>o</sup> *May* 9, 542

**MAGUIRE, Mr. J. R., Clare, W.**  
Doonaha Post Office, 1765

**MAINS, Mr. J., Donegal, N.**  
Royal Irish Constabulary Force Fund, 1243

**MALTA**

*Barry, P.*, Shooting of, Q. Mr. M. Healy ; A. Mr. E. Robertson *May* 5, 197  
*Surgeon-Major-Generals Wade and Paterson*, Q. Dr. Macgregor : A. Mr. Campbell-Bannerman *May* 4, 73  
*Tract Distribution—Disturbances*, Q. Mr. S. Smith ; A. Mr. S. Buxton *May* 8, 326

**Manchester, Sheffield, and Lincolnshire Railway Bill**

*c.* Con. as amended *May* 8, 317  
Read 3<sup>o</sup>, and passed *May* 11, 609

**MAPLE, Sir J. B., Camberwell, Dulwich**  
Post Office Property and the Government of Ireland Bill, 923

**MARJORIBANKS, RIGHT HON. E.**  
(Secretary to the Treasury), *Berwickshire*

Elementary Education (School Attendance) Bill, 2R. 1850  
London Improvements Bill, Nomination of Com. 545, 619  
Public Libraries (Ireland) Acts Amendment Bill, 3R. 1353  
Railway Rates and Charges, Select Com., Motion for, 729, 732, 1006  
Sea Fisheries Regulation (Scotland) Bill, Com. 1850

**Marking of Foreign Meat**

Q. Colonel H. Vincent ; A. Mr. Gardner  
*May* 30, 1536

**MATHER, Mr. W., Lancashire, S.E., Gorton**  
Supply—Ordnance Survey, 1432

**MATTHEWS, Right Hon. H., Birmingham, E.**  
Government of Ireland Bill, Com., *Clause I.*  
405, 407 ; *Clause II.* 945, 947, 948

**MAXWELL, Mr. W. J., Dumfries-shire**  
Registration of Voters (Scotland) Bill, 1276

**MAXWELL, Sir H. E., Wigton**  
Outdoor Relief (Friendly Societies) Bill, Com. 1210  
Registration Bills, 650  
Sea Fisheries Regulation (Scotland) Bill, Com. 1849

**MEATH, Earl of**  
Licensing Boards Bill, 2R. 742  
Sale of Intoxicating Liquors (Ireland) Bill, 2R. 187, 188 ; Com. 1215, 1217

**Mediterranean Fleet**

Q. Mr. Hanbury ; A. Mr. E. Robertson *May* 5, 196 ; Q. Mr. M. Healy ; A. Mr. E. Robertson *June* 1, 1727 ; Qs. Mr. G. Bowles ; As. Sir U. Kay-Shuttleworth *June* 1, 1746, 1760

**MELLOR, RIGHT HON. J. W. (Chairman of Committees and Ways and Means), York, W.R., Sowerby**  
Water Provisional Orders (No. 2) Bill, Instruction to Com. 1725

**(Rulings as Chairman of Committees and Ways and Means)**

Customs and Inland Revenue Bill, Com. 146, 151, 152, 165  
Government of Ireland Bill, Com., *Clause I.* (*First Night*), 349, 350, 359, 360, 372, 374, 394, 417, 418, 420, 421, 464, 465, 467 ; (*Second Night*), 529, 534 ; (*Third Night*), 532, 573 ; (*Fourth Night*), 656, 663, 665, 666, 667, 672, 674, 683, 687, 688, 696, 706, 717, 728 ; (*Fifth Night*), 799, 800, 802, 803, 804, 828 ; *Clause II.*, 835 ; (*Sixth Night*), 937, 955, 974, 975,

**MELLOR, Right Hon. J. W.—cont.**

976, 978, 979, 980, 981, 988, 990, 992, 993, 1003, 1004, 1006; (*Seventh Night*), 1056, 1069, 1070, 1076, 1077, 1078, 1116, 1111, 1129, 1130; (*Eighth Night*), 1168, 1170, 1171, 1172, 1173, 1174, 1176, 1177, 1180, 1192, 1197, 1200, 1201, 1202, 1203, 1204; *Clause III.* 1206, 1209; (*Ninth Night*), 1567, 1568, 1569, 1607; (*Tenth Night*), 1641, 1645, 1686, 1687, 1688; (*Eleventh Night*), 1811, 1813, 1814, 1820, 1821, 1847

North Sea Fisheries Bill, Com. 1374, 1382

**Supply**

Miscellaneous Legal Buildings, 250  
Science and Art Buildings, 1302, 1303.  
1305, 1320, 1325, 1335  
Vote on Account, 1464, 1470, 1471, 1481, 1494, 1498, 1501, 1503, 1507, 1521

**Members of Parliament** (see *Parliament*)

**Mercantile Marine Fund** (see *Merchant Shipping*)

**Merchandise Marks** (see *Trade, Board of*)

**Merchant Shipping**

*Employers' Liability*, Q. Mr. H. Foster; A. Mr. Asquith May 11, 629

*Guns for the Mercantile Marine*, Qs. Mr. Hanbury, Major Rasch; As. Mr. E. Robertson May 18, 1264

*Hull Dock Strike* (see title *Labour Department*)

*Mercantile Marine Fund—Light Dues*, Q. Mr. G. Bowles; A. Mr. Mundella May 11, 646

*Ship Rocket Apparatus*, Q. Mr. Luttrell; A. Mr. Mundella May 5, 199

*Shipping Federation*, Motion for Adjournment of the House (Mr. Havelock Wilson) May 4, 81

*Ships' Side Lights*, Q. Sir G. Baden-Powell; A. Mr. Mundella June 1, 1763

*Target Practice Seawards*, Q. Mr. Mildmay; A. Mr. Campbell-Bannerman May 12, 785

**Metropolis**

*Artizans' Dwellings*, Q. General Goldsworthy; A. Mr. H. H. Fowler May 19, 1364

*Gas Accounts*, Q. Mr. J. Rowlands; A. Mr. Mundella June 1, 1762

*Horses, Injured—Slaughter of*, Q. Mr. Saunders; A. Mr. Asquith May 30, 1543

*Hyde Park—Alleged Disturbance by Foreigners*, Qs. Mr. Pictou, Mr. Byles; As. Mr. Asquith May 15, 906

*Magistrates*, Q. Mr. Whitmore; A. Mr. Asquith May 15, 914

*Marlborough Street Police Court*, Q. Mr. Boulnois; A. Mr. Asquith May 11, 632

*Police Court*, Debate in Com. of Supply May 5, 249, &c.; July 18, 1288, &c.

*Polytechnic for South London*, Q. Mr. Whitmore; A. Mr. T. E. Ellis May 29, 1424

**Metropolitan Asylum Board**

*Tottenham Fever Hospital*, Qs. Mr. Howard, Mr. J. Rowlands; As. Mr. H. H. Fowler May 15, 906, 918; Qs. Mr. A. O'Connor; As. Mr. H. H. Fowler May 16, 1047  
*Transport of Infectious Diseases*, Q. Mr. Stephens; A. Mr. H. H. Fowler May 15, 914

**Metropolitan Commons Provisional Order (Banstead) Bill**

*l.* Reported from Select Com., and com. to Com. of the whole House May 16, 1038  
Order for Com. read and discharged May 18, 1229

Com.; Amendts. made June 1, 1722

**Metropolitan Commons Provisional Order (Orpington) Bill**

*l.* Com.; Reported; Standing Com. negatived May 18, 1229

Read 3<sup>a</sup>, and passed May 30, 1528

**Metropolitan Police Provisional Order Bill**

*c.* Intro. Mr. H. Gladstone; Read 1<sup>o</sup> May 19, 1420

**MIDDLETON, Viscount**

Official Liquidators (Ireland) Bill, Com. 170

**MILDMAY, Mr. F. B., Devon, Totnes**

Target Practice Seawards, 785

**Military Lands (Provisional Orders) Bill**

*l.* Read 2<sup>a</sup> May 8, 301

Com.; Reported; Standing Com. negatived May 12, 767

Read 3<sup>a</sup>, and passed May 15, 896

**MILNER, Sir F. G., Notts, Bassetlaw**

Government of Ireland Bill, Com., *Clause II.* 1001, 1002

**Mines (Eight Hours) Bill**

Qs. Mr. Woods, Mr. D. Thomas, Mr. Tomlinson, Mr. Hozier; As. Mr. W. E. Gladstone May 11, 649

**MINTO, Earl of**

Discharged Soldiers, Government Employment for, 1220, 1227

**MONKSWELL, Lord**

Barbed Wire Fences Bill, 2R. 302; Com. 758, 759, 760, 761, 762, 765

**MONTAGU, Mr. S., Tower Hamlets, Whitechapel**

Lucas, Mr. S.—Claims on Spanish Railway, 321

Omnibus Drivers' Licences, 342

**MONTEAGLE of BRANDON, Lord**  
County Surveyors (Ireland) Bill, Pres. 46 ;  
2R. 753  
Sale of Intoxicating Liquors (Ireland) Bill,  
2R. 183 ; Com. 1215

**MORLEY, EARL OF** (Chairman of Committees)  
London Streets (Removal of Gates) Bill, 3R.  
1525, 1526

**MORLEY, RIGHT HON. ARNOLD**  
(Postmaster General), *Nottingham, E.*

American Mails, Conveyance of, 787, 1268  
Coldbath Fields Money Order Clerks, 52  
*Employés*, Transferred, 330  
Essendon Postmistress, 1426  
Imperial Penny Postage and the Colonies, 58,  
63

**Ireland**

Carlow County Service, 337  
Clogher, Portadown, and Enniskillen Irregularities, 771, 772, 773  
Doonaha Office, 1765  
Dublin—Female Telegraphists, 625  
Garrydoolis Service, 330  
General Post Office, 622  
Postal Service, 1765  
Roscommon Postal Service, 1362  
Urlingford—Telegraph Service, 1235

Lodgers' Letters—Officially Re-directed, 65

**Parcel Post**

Delays, Compensation for, 65  
Glass Articles, 769

Pensions and Superannuation Allowances,  
191

**Postmen**

Good Conduct Stripes, 1269  
Summer Uniform, 1269

St. Helena—Postal Charges, 1233

Scotland—Edinburgh Telegraphists, Promotion of, 1758

South Wales Mails, 621

**Telegraphs**

Central Office Promotions, 634  
Scarborough, 1364

**MORLEY, Right Hon. JOHN** (Chief Secretary for Ireland), *Newcastle-upon-Tyne*

Evicted Tenants Ireland Bill, 70, 1763

Government of Ireland Bill, Com., *Clause I.* (*First Night*), 398, 404, 412 ; (*Second Night*), 518, 520, 521, 525, 528, 538, 539 ; (*Fourth Night*), 656, 727, 728 ; (*Sixth Night*), *Clause II.* 947, 974, 979, 980, 982, 985 ; (*Seventh Night*), 1096, 1097 ; (*Tenth Night*), *Clause III.* 1673, 1674, 1682 ; (*Eleventh Night*), 1814, 1815, 1829, 1830

Irish Church Fund, 633  
Resident Magistrates, 785

**Ireland**

Armagh, Open Drains in, 1741  
Belfast, State of—Article in "*The Irish Catholic*," 624

**MORLEY, Right Hon. John—cont.**

Blood, Mr., Attack on, 456

Clare, Kerry, and Limerick, Crimes and Outrages in, 194, 195, 457, 1252, 1422, 1423, 1532, 1533, 1735 ; Res. 1771, 1776, 1786, 1788, 1790, 1792, 1794

Clogheen, Disturbance at, 50

Clonmel, Disturbances at, 67

Cork County, Boycotting and Moonlighting in, 333, 919, 1742

Doon, Outrage in, 54

Dublin, Mr. A. J. Balfour's Visit to—Injured Persons, 62

Dynamite Explosion in Dublin, 344

**Education**

Corrattaw National School, 919

Departmental Clerks, 50

Dublin Training College, 652

Legnatraghta Schoolmaster, 912

Esmonde's, Sir T., Tenants, 1236

Fermanagh, Boycotting in, 68

Fisheries—Inspector's Report, 198

Franchise, £20, 927

Gun Licences—Case of Mr. Cotter, 1244

Killavullen—Boycotting and Setting Fire to Farms—Speech by Thomas Barry, 1049, 1050

Labourers' Cottages—Ballymena Union, 336

Land Grabbing, 1271, 1272, 1761

Land Purchase Returns, 48

Langford Estate Dispute, 332, 333

**Law and Justice and Police**

Bankruptcy Law, 909

Carron, John, Case of, 1735, 1736

Cork, Extra Police in, 1747

Doherty, Hugh, 1743

Hunter, John, Conviction of, 643

Kilmainham Prison Warders, 769

Oath, Administration of, 49

Police Allowances, 626, 1246

Royal Irish Constabulary Force Fund, 450, 1243

**Lunatic Asylums**

Medical Officers, 653, 1051

Petitions against Home Rule, 457

**Magistracy**

Commission of the Peace Returns, 917

County Magistracy — Appointments, 1529

Leitrim, 783, 784, 915, 916, 1247

Licensed Publicans as Magistrates, 917

**Poor Law**

Dublin Guardians' Election, 1260

Dunshaughlin Union Contract—Dunsany

Store Company, 1279, 1758

Swinford Union Contracts, 70

Registration of Electors, 50

Seed Loans, 922

Templemore's, Lord, Tenants, 167

Tulla—Brutal Outrage on a Horse, 644

Under Secretary's Salary, 1257, 1258

Union Jack on Licensed Premises, 1537, 1538, 1757

Irish Education Act (1892) Amendment (No. 2) Bill, Intro. 345

Local Government (Ireland) Provisional

Orders Bills, Intro. 541, 1640, 1692

Supply—Condition of Ireland, 1468, 1698

MORRIS, Lord

Quit-Rents, Claims for, 887, 893

MORTON, Mr. A. C., *Peterborough*

Cheshire Lines Railway Bill, 3R. 317

Customs and Inland Revenue Bill, Com. 145, 152, 153, 154, 156

Holloway, The late Thomas—Will of, 1767

Justices of the Peace Qualification Repeal Bill, Intro. 542

London and South-Western Railway Bill, 3R. 442

Magistracy—Appointments and Politics, Res. 264

Manchester, Sheffield, and Lincolnshire Railway Bill, Con. 320, 609, 610

National Sporting Club, 1748

St. Clement's, Kensington—Land Dispute, 1237, 1238

Scotland

Mint, 1762

Palaces and Castles, 143, 144

Procurators Fiscal, Duties of, 1248

Supply

Admiralty Buildings, 424

Bushey Park, 226

County Court Buildings, 250, 251

Diplomatic and Consular Buildings, 1335, 1341

House of Lords Offices, 1471, 1482, 1489

Kew Gardens, 424

London Police Courts, 1298, 1300

Ordnance Survey, 1487

Public Buildings, 1404

Royal Palaces, 423

Science and Art Buildings, 1303, 1334

MOWBRAY, Right Hon. Sir J. R.,

*Oxford University*

Selection—Standing Committees—Reports, 300, 428, 543, 836

MUNDELLA, RIGHT HON. A. J. (President of the Board of Trade), *Sheffield, Brightside*

Alien Immigration, 1357

Cheshire Lines Railway Bill, 3R. 317

Clwyd River, Dredging in, 1040, 1041

Company Law—Limited Liability Companies, 631, 925, 1250

"*Doggerbank*," Sinking of, 1754

Hansard Union Prosecution, 1051

Ireland

Dublin, Wicklow, and Wexford Railway, 1259

Railway Accident Inquiry, 1549

Railway Rates, 632, 917, 1051, 1250, 1270, 1361, 1759

Tralee and Dingle Railway, 905, 1249

Weights and Measures, Inspectors of, 1734

Labour Correspondents, 339

Labour Disputes (Arbitration) Bill, 2R. 1351, 1352

Labour Disputes, Arbitration in, 337

"*Labour Gazette*," 1043, 1242, 1274, 1275, 1543

Live Stock Transit, 647

Manchester, Sheffield, and Lincolnshire Railway Bill, Con. 319; 3R. 610

MUNDELLA, Right Hon. A. J.—*cont.*

Merchant Shipping

Light Dues, 646

Ships' Rocket Apparatus, 199

Ships' Side Lights, 1763

Merchandise Marks, 1241, 1273, 1274

Metropolitan Gas Accounts, 1763

North Sea Fisheries Bill, Com. 1374, 1375, 1376, 1379, 1380, 1384, 1385

North Sea Liquor Convention, 1367, 1368, 1545, 1761

Patterns, Detention of, at Customs Houses, 1369

Plumbers' Registration Bill, Com. 1691

Railways

Hours of Labour, 1744

Rates and Charges, 72, 335, 339, 1045, 1257, 1273

Select Committee, Appointment of, 201, 426, 652, 929, 1005, 1006, 1007, 1152, 1153

Regulation Act—Sub-Inspectors, 1534

Wagons, Private, 1764

Whistles, Nuisance of, 53

Scotch Railway Rates, 192

Shipping Federation, Res. 113, 114, 115, 116

Supply

Labour Department, 1519, 1520

Lighthouses, 1458

Thames Conservancy Board and the County Council, 56

Water Provisional Order (No. 2) Bill, 2R. 1162

Municipal Corporations Act (1882) Amendment Bill

*l.* Amendts. reported *May 4*, 47

Read 3<sup>a</sup>, and passed, with Amendts.; Further Amendts. made *May 9*, 441

Returned from the Commons; Amendts. agreed to *May 16*, 1038

*c.* Lords Amendts. con. and agreed to *May 16*, 1156

MURRAY, Colonel C. W., *Bath*

South Kensington Museum—Mr. Frank Buckland's Collection, 1263

MURRAY, Mr. A. G., *Buteshire*

Government of Ireland Bill, Com., *Clause II.*, 1193

Scotland—Education—Minute of Council, 1893; Res. 1147

*Museums, Provincial—Grants in Aid to*

Qs. Mr. J. Collings, Mr. Labouchere, Mr. Leng; As. Mr. Acland *May 18*, 1267

NAOROJI, Mr. D., *Finsbury, Central*

India

Progress of, 193, 451

Return—Lord Lytton's Note, 194

NATAL (see AFRICA)

*National Debt*

Return ordered *May 11*, 732

# **National Gallery**

*Albert Dürer's Pictures*, Q. Mr. J. W. Lowther; A. Sir J. T. Hibbert *May* 15, 913

*British Pictures*, Q. Dr. Farquharson; A. Mr. Shaw Lefevre *May* 4, 57

*Burton, Sir F.*, Q. Mr. G. Bowles; A. Sir J. T. Hibbert *June* 1, 1745

# **National Sporting Club**

Q. Mr. A. C. Morton; A. Mr. Asquith *June* 1, 1748

# **NAVY**

First Lord of the Admiralty—Earl SPENCER

Civil Lord—Mr. E. ROBERTSON

Secretary—Sir U. KAY-SHUTTLEWORTH

*America—New York Naval Review—Desertions*, Q. Mr. Gourley; A. Mr. E. Robertson *May* 15, 901

*Australia and Canada, New Steam Service between*, Q. Mr. Hogan; A. Mr. E. Robertson *May* 8, 328; Q. Mr. Hogan; A. Mr. S. Buxton *May* 16, 1042

*Boys' Training Ships for Ireland*, Qs. Mr. Field, Mr. Arnold - Forster, Captain Donelan, Mr. Flynn; As. Sir U. Kay-Shuttleworth *June* 1, 1754

*British Columbia—Admiralty Surveys*, Q. Sir G. Baden-Powell; A. Mr. E. Robertson *May* 18, 1272

*Channel Squadron Summer Manœuvres*, Q. Mr. Field; A. Mr. E. Robertson *May* 15, 910

*Coastguard Service*, Q. Mr. E. H. Bayley; A. Mr. E. Robertson *May* 4, 51

# **CONTRACTS**

*Foreign Firms*, Qs. Colonel H. Vincent, Major Rasch; As. Sir U. Kay-Shuttleworth *May* 30, 1535

*Members of Parliament Influencing*, Qs. Mr. Strachey, Mr. Wilson Lloyd; As. Mr. E. Robertson *May* 11, 627

*Torpedoes*, Qs. Mr. Weir, Mr. Forwood; As. Mr. Woodall *June* 1, 1755

*Distinguished Service, Commissions for*, Q. Mr. Wickham; A. Mr. E. Robertson *May* 18, 1259

# **DOCKYARDS**

*Classification*, Qs. Mr. Knatchbull-Huggessen, Mr. Kearley; As. Mr. E. Robertson *June* 1, 1745

*Devonport, Pay Day in—Transfer Privileges, &c.*, Qs. Mr. Kearley; A. Mr. E. Robertson *May* 18, 1253

*Haulbowline Dockyard—Repairs of H.M. Ships*, Q. Captain Donelan; A. Mr. E. Robertson *May* 4, 64; Q. Mr. W. Redmond; A. Mr. E. Robertson *May* 8, 340

*Wages in*, Q. Mr. J. Burns; A. Mr. Campbell-Bannerman *May* 18, 1239; Q. Colonel Loyd; A. Mr. E. Robertson, *May* 30, 1539

*Greenwich Age Pensions*, Q. Mr. Clough; A. Mr. E. Robertson *June* 1, 1739

*Guns—Mercantile Marine*, Qs. Mr. Hanbury, Major Rasch; As. Mr. E. Robertson *May* 18, 1264

# **NAVY—cont.**

*Malta—Shooting of P. Barry*, Q. Mr. M. Healy; A. Mr. E. Robertson *May* 5, 197

# **Mediterranean Fleet**

*Chaplains in*, Q. Mr. Hanbury; A. Mr. E. Robertson *May* 5, 196; Q. Mr. M. Healy; A. Mr. E. Robertson *June* 1, 1727

*H.M.S. "Phaeton"*, Qs. Mr. G. Bowles; As. Sir U. Kay-Shuttleworth *June* 1, 1746, 1760

# **Scotland**

*Admiralty Boats for the Protection of Fishermen*, Qs. Mr. Weir; As. Mr. E. Robertson *May* 15, 898; Qs. Mr. Weir, Mr. Buchanan; As. Sir G. Trevelyan *May* 18, 1255

# **Ships, H.M.**

*"Daphne"*, Q. Mr. Gourley; A. Mr. E. Robertson *May* 15, 900

*"Phaeton"* (see sub-heading *Mediterranean Fleet*)

*Strength of*, Res. (Lord Hood of Avalon); Motion withdrawn *May* 16, 1018

# **Navy Estimates**

*Amounts Voted by Parliament and Expended*, Q. Mr. Forwood; A. Mr. E. Robertson *May* 15, 923

# **NAYLOR-LEYLAND, Captain H. S., Colchester**

Abbey Field, Colchester, 1363

Government of Ireland Bill, Com., *Clause III.* 1205, 1206, 1686, 1687

# **New Licences (Ireland) Bill**

c. Com. deferred *May* 29, 1522

# **New South Wales**

*Currency*, Q. Mr. Webster; A. Mr. S. Buxton *May* 5, 191

# **NEWDIGATE, Mr. F. A., Warwickshire, Nuneaton**

Railway Rates in Nuneaton District, 72

# **Newfoundland**

*Despatches*, Q. Sir C. Dilke; A. Mr. S. Buxton *May* 8, 321

# **NOBLE, Mr. W., Hastings**

Clare, Kerry, and Limerick, Crime in, 1779

# **NOLAN, Colonel J. P., Galway, N.**

Supply—Uganda, 1506

# **NORFOLK, Duke of**

Uganda, Catholics in, 885, 886

# **North Sea—Floating Grog Shops (see North Sea Liquor Convention)**

**North Sea Fisheries Bill**

c. Con. in Com., R.P. *May* 9, 539; *May* 10, 607

Con. in Com.; Reported; Read 3<sup>o</sup>, and passed *May* 19, 1373

l. Read 1<sup>o</sup> *May* 30, 1528

**North Sea Fisheries Bill**

Qs. Sir R. Temple, Marquess of Carmarthen;

As. Mr. W. E. Gladstone *May* 12, 786

*North Sea Liquor Convention* (see that title)

**North Sea Liquor Traffic Convention**

Q. Mr. G. Bowles; A. Sir E. Grey *May* 19,

1361; Q. Mr. G. Bowles; A. Mr. Mundella

*May* 19, 1367; Q. Sir G. Baden-Powell;

A. Mr. Mundella *June* 1, 1761

**NORTHBROOK, Earl of**

Indian Home Charges, Res. 866

Madras and Bombay Armies Bill, 2R. 20,

Com. 1016

Navy, Strength of, Res. 1034

**NORTON, Captain C. W., Newington, W.**

Derby Day Adjournment, Res. 1556

Questions in the House, 1372

**NORTON, Lord**

Elementary Education (Religious Instruction) Bill, 2R. 39, 40

Licensing Boards Bill, 2R. 745

**Norway**

*Norwegian Analogy to Irish Home Rule*, Qs.

Colonel H. Vincent, Mr. Sexton, Mr.

Johnston; As. Mr. W. E. Gladstone, Mr.

Speaker *May* 4, 74

**Notice of Accidents Bill**

c. Adjourned Debate on 2R. further adjourned *May* 10, 608

**O'BRIEN, Mr. P. J., Tipperary, N.**

"Queen and no Home Rule," 1539

**O'BRIEN, Mr. W., Cork**

Ireland

Barry, Mr. T.—Pension, 1050

Brady, Sir T.—Pension, 620, 1368

Cork, Extra Police in, 1747

**O'CONNOR, Mr. A., Donegal, E.**

Irish Republican Flag, 926

Vaccination, Compulsory, Res. 848, 853

**O'CONNOR, Mr. T. P., Liverpool, Scotland**

Closure, 790

**Official Liquidators (Ireland) Bill**

l. Com.; Amendts. made; Re-com. to Standing Com. *May* 5, 169

**OLDROYD, Mr. M., Dewsbury**

Thornhill Lees National School, 1768

**PARLIAMENT—Lords—cont.****Representative Peers for Ireland**

*Viscount Claremont's Claim to Vote read May 4, 46*

*Baron Trimleston's Claim to Vote read May 12, 868; Report May 16, 1009*

**Sat First**

*June 1—Marquess of Camden, after the death of his father*

**Standing Order No. XVI**

*Con. and Amended May 18, 1219*

**Took the Oath**

*May 4—H.R.H. the Duke of Connaught and Strathearn*

*May 15—Lord St. Levan*

**Tyrone, Lord**

*Leave given to Speak Sitting May 4, 1*

**COMMONS—****Business of the House and Public Business**

*May 4—Twelve o'Clock Rule, Suspension of, Q. Mr. A. J. Balfour; A. Mr. W. E. Gladstone, 77*

*May 9—Vote on Account, Q. Mr. Bartley; A. Mr. W. E. Gladstone, 462*

*May 15—Q. Mr. Heneage; A. Mr. W. E. Gladstone, 930*

*May 16—Vote on Account, Qs. Mr. Hanbury, Mr. A. J. Balfour; As. Mr. W. E. Gladstone, 1163*

*May 17—Vote on Account, Qs. Mr. Goschen, Mr. Stuart-Wortley; As. Mr. W. E. Gladstone, 1163*

*May 30—Blocking Bills, Q. Mr. J. E. Ellis; A. Mr. W. E. Gladstone, 1548*

*Vote on Account, Q. Sir R. Temple; A. Mr. W. E. Gladstone, 1549*

*June 1—Government of Ireland Bill, Progress of, Qs. Mr. Macfarlane, Mr. A. J. Balfour; As. Mr. W. E. Gladstone, 1766*

**Closure**

*Qs. and Obs. Lord G. Hamilton, Mr. Sexton, Mr. T. P. O'Connor, Mr. Labouchere, Mr. Heneage, Mr. T. M. Healy, Mr. Speaker May 12, 789; Qs. Mr. Heneage, Dr. Macgregor; As. Mr. W. E. Gladstone, Mr. Speaker May 30, 1546*

*Mr. Speaker's Rulings (see title Speaker) Personal Explanations, Mr. S. Whitbread, Sir J. Gorst May 11, 729*

**Committees**

*Ascension Day, Res. (Mr. W. E. Gladstone) May 10, 547*

*Public Accounts—Message for Leave for the Clerk of the Parliaments to Attend as Witness May 8, 316; May 9, 541*

*Public Petitions, Reports May 10, 607; May 31, 1692*

*Selection (Standing Committees), Reports May 5, 300; May 8, 428; May 9, 543; May 12, 836*

[cont.]

**PARLIAMENT—Commons—cont.****Members**

*Davitt, Mr., Resignation of, Q. Mr. Sexton; A. Mr. Speaker May 10, 546*

*Gorst, Sir J.—Personal Explanation May 11, 730*

*Trooping of the Colours—Members' Seats to View, Q. Mr. Rees Davies; A. Mr. Campbell-Bannerman June 1, 1765*

*Whitbread, Mr. S., Personal Explanation May 11, 729*

**Parliamentary Debates—Select Committee**

*Correction of Speeches, Q. Sir R. Temple; A. Sir J. T. Hibbert May 30, 1534*

*Report May 12, 836*

**Parliamentary Papers, Distribution of**

*Qs., Obs. Mr. Bartley, Mr. Loder, Mr. T. M. Healy; As. Sir J. T. Hibbert May 30, 1541*

**Placemen and Pensioners, Returns of**

*Qs. Mr. G. Bowles; As. Sir J. T. Hibbert May 12, 778; June 1, 1746*

**Public Petitions, Regulations as to**

*Q. Mr. F. Pease; A. Mr. McLagan May 4, 67*  
*Committee's Reports (see sub-heading Committees)*

**Questions**

*Qs. Mr. Weir, Mr. James Lowther, Mr. Forwood, Mr. Dillon, Mr. Snape, Captain Norton; As. Sir W. Harcourt, Mr. Speaker May 19, 1371; Q. Mr. Weir; A. Mr. W. E. Gladstone May 30, 1547*

**Rules and Order of Debate (see Speaker, The)****Sittings and Adjournments of the House**

*Adjournment of the House to Discuss the Shipping Federation (Mr. Havelock Wilson) May 4, 81*

*Ascension Day, Res. (Mr. W. E. Gladstone) May 10, 547*

*Derby Day, Q. Sir W. Lawson; A. Mr. Speaker May 15, 930; Q. Lord Stanley; A. Mr. W. E. Gladstone May 16, 1052*

*Motion (Mr. Brookfield) May 30, 1550*

*Imperial Institute—State Function, Q. Sir T. Lea; A. Mr. W. E. Gladstone May 5, 207*

*Standing Orders, Suspension of (see that sub-heading)*

*Twelve o'Clock Rule, Suspension of, Q. Mr. A. J. Balfour; A. Mr. W. E. Gladstone May 4, 77*

*Whitsuntide Adjournment, Q. Mr. J. E. Ellis; A. Mr. W. E. Gladstone May 8, 341; Q. Mr. Macfarlane; A. Mr. W. E. Gladstone May 15, 929; Q. Sir M. Hicks Beach; A. Sir W. Harcourt May 18, 1280; Motion (Sir W. Harcourt) May 19, 1406*

**Standing Orders**

*Blocking Bills, Q. Mr. J. E. Ellis; A. Mr. W. E. Gladstone May 30, 1548*

[cont.]



**PARLIAMENT—Commons—Standing Orders**  
—cont.*Private and Provisional Order Confirmation Bills* May 15, 895*Provisional Orders Bills* May 9, 543; May 15, 1008; May 18, 1355; May 19, 1418; June 1, 1855**PALACE OF WESTMINSTER****House of Commons***Accommodation*, Q. Colonel H. Vincent; A. Mr. Shaw Lefevre May 15, 899- *Debate on*, May 4, 120*Division Lobbies, Ventilation of*, Q. Mr. Knatchbull - Huggessen; A. Mr. Shaw Lefevre May 11, 647*Electric Light*, Q. Sir M. Stewart; A. Mr. Shaw Lefevre May 11, 636**Parochial Charity Accounts**

Q. Mr. Herbert Lewis; A. Mr. T. E. Ellis May 8, 328

**Patents***Specifications for*, Q. Mr. Schwann; A. Mr. Burt May 12, 769**Patterns, Detention of, at Customs Houses**

Q. Mr. Holland; A. Mr. Mundella May 19, 1369

**PAUL, Mr. H. W., Edinburgh, S.***Assam—Trial by Jury*, 633*Bengal, Trial by Jury in*, 1239*Ringstead Churchyard*, 1426**Scotland***Edinburgh Science and Art Museum Clerks*, 910, 1260*Edinburgh Telegraphists*, 1758*Education—Decimal System*, 620**Pawnbrokers' Returns (Ireland)**

Copy pres. May 18, 1356

**Paymaster General's Office — Chief Clerk**

Q. Mr. Weir; A. Sir J. T. Hibbert May 11, 648

**PEARSON, Right Hon. Sir C. J., Edinburgh and St. Andrews Universities***Education (Scotland)—Minute of Council*, 1893, Res. 1136**PEASE, Mr. H. F., York, N. R., Cleveland***Petitions, Regulations as to*, 67**PEEL, Right Hon. A. W. (see Speaker, The)****Petitions (see Parliament)****PICTON, Mr. J. A., Leicester***Customs and Inland Revenue Bill*, Com. 146*Free Education Accommodation*, 60*Hyde Park—Alleged Disturbances by Foreigners*, 906, 907*Vaccination, Compulsory*, Res. 854, 859, 861**Pier and Harbour Provisional Orders**

Copy pres. May 9, 544

**Pier and Harbour Provisional Orders****(No. 1) Bill**

c. Reported with Amendts. May 18, 1354

As amended, Con. May 19, 419

Read 3<sup>o</sup>, and passed May 29, 1524l. Read 1<sup>a</sup> May 30, 1529**Pier and Harbour Provisional Orders****(No. 2) Bill**c. Read 2<sup>o</sup> May 9, 541

As amended, Con. May 19, 1419

Read 3<sup>o</sup>, and passed May 29, 1524l. Read 1<sup>a</sup> May 30, 1529**Pier and Harbour Provisional Orders****(No. 3) Bill**c. Intro. Mr. Burt; Read 1<sup>o</sup> May 8, 427Read 2<sup>o</sup> May 16, 1155

Reported with Amendts. May 18, 1354

Reported June 1, 1854

**Pier and Harbour Provisional Orders****(No. 4) Bill**c. Intro. Mr. Burt; Read 1<sup>o</sup> May 10, 608Read 2<sup>o</sup> May 17, 1212

Reported with Amendts. June 1, 1854

**PIERPOINT, Mr. R., Warrington***Supply—Cyprus*, 1512**Pilotage Provisional Orders Bill**l. Read 2<sup>a</sup> May 9, 441

Com.; Reported; Standing Com. negatived May 12, 767

Read 3<sup>o</sup>, and passed May 15, 896**Places of Worship Enfranchisement Bill**

Qs. Mr. S. Evans, Mr. Brodrick; As. Mr. W. E. Gladstone May 30, 1548

**Places of Worship (Sites) Bill**c. As amended, Con.; Read 3<sup>o</sup>, and passed May 8, 428l. Read 1<sup>a</sup> May 9, 441**Places of Worship Trust Deeds**

Q. Mr. S. Leighton; A. Mr. Asquith May 5, 200

**PLAYFAIR, Lord**

Burgh Police (Scotland) Act Amendment Bill, 2R. 765, 766; Com. 894, 895  
 Canal Rates, Tolls, and Charges Provisional Order Bills—Joint Com., Con. 301  
 Electric Lighting Provisional Order (Nos. 5 and 6) Bill, Pres. 316  
 Elementary Education (Religious Instruction) Bill, 2R. 40  
 Gas Provisional Orders Confirmation Bills, Pres. 46  
 Railway Servants (Hours of Labour) Bill, 2R. 429; Com. 1218

**Pleuro-Pneumonia (see Agriculture)****Plumbers' Registration Bill**

c. Com. deferred *May* 31, 1690

**PLUNKET, Right Hon. D. R., Dublin University**

Government of Ireland Bill, Com., *Clause I.* 557; *Clause II.* 980; *Clause III.* 1679  
 Supply  
 Admiralty Extension Buildings, 242, 246, 425  
 Revenue Buildings, 1401  
 Science and Art Buildings, 1305, 1310, 1324

**PLUNKETT, Hon. H. C., Dublin Co., S. Ireland**

Boycotting in County Clare, 457  
 Dunsany Co-operative Stores—Poor Law Contracts, 1278  
 Postal Service, 1765

**Police Acts Amendment Bill**

c. Lords Amendts. con., and agreed to *May* 18, 1230  
 l. Returned from the Commons with Amendts. agreed to, with an Amendt., Commons Amendt. con. and agreed to *May* 18, 1228

**Police Disabilities Removal Bill**

l. Amendts. reported *May* 4, 47  
 Read 3<sup>d</sup>, and passed *May* 5, 190  
 c. Lords Amendts. con., and agreed to *May* 9, 541  
 l. Royal Assent *May* 12, 733

**Polytechnic, South London**

Q. Mr. Whitmore; A. Mr. T. E. Ellis *May* 29, 1424

**Poor Law (see Local Government Board)****POST OFFICE**

Postmaster General—Mr. ARNOLD MORLEY  
*American Mails, Conveyance of*, Qs. Mr. Macartney, Mr. Flynn; As. Mr. A. Morley *May* 12, 787; Qs. Mr. Forwood, Mr. Macartney, Mr. T. M. Healy; As. Mr. A. Morley *May* 18, 1268  
*Coldbath Fields Money Order Clerks*, Qs. Mr. Graham, Mr. Hanbury; As. Mr. A. Morley *May* 4, 52

**POST OFFICE—cont.**

*Employés Transferred*, Q. Mr. M. Healy; A. Mr. A. Morley *May* 8, 329  
*Essendon Postmistress*, Q. Mr. V. Gibbs; A. Mr. A. Morley *May* 29, 1428  
*Imperial Penny Postage*, Qs. Mr. Hogan, Mr. Lawson; As. Mr. A. Morley *May* 4, 58; Qs. Mr. H. Heaton; As. Mr. A. Morley *May* 4, 62  
*Ireland (see that title)*  
*Liverpool*, Q. Mr. Willox; A. Mr. Shaw Lefevre *May* 9, 452  
*Lodgers' Letters—Officially Re-directed*, Q. Mr. Labouchere; A. Mr. A. Morley *May* 4, 64

**Parcel Post**

*Delays, Compensation for*, Q. Mr. W. F. D. Smith; A. Mr. A. Morley *May* 4, 65  
*Glass Articles*, Q. Sir J. Savory; A. Mr. A. Morley *May* 12, 768

*Pensions and Superannuation Allowances*, Q. Mr. H. Heaton; A. Mr. A. Morley *May* 5, 191

**Postmen**

*Good Conduct Stripes*, Q. Mr. Cremer; A. Mr. A. Morley *May* 18, 1269  
*Summer Uniform*, Q. Mr. Cremer; A. Mr. A. Morley *May* 18, 1269

*St. Helena, Postal Charges*, Q. Admiral Field; A. Mr. A. Morley *May* 18, 1233  
*South Wales Mails*, Q. Mr. D. Thomas; A. Mr. A. Morley *May* 11, 621

**TELEGRAPHS**

*Central Office Promotions*, Q. Mr. Theobald; A. Mr. A. Morley *May* 11, 634  
*Messengers' Drill*, Qs. Mr. Bartley, Major Rasch, Mr. Cremer; As. Mr. Campbell-Bannerman *May* 11, 637  
*South Cliff, Scarborough*, Q. Sir G. Sitwell; A. Mr. A. Morley *May* 19, 1364

**Post Office (Acquisition of Sites) Bill**

c. Lords Amendts. con. and agreed to *May* 6, 257  
 l. Returned from Commons *May* 5, 189  
 Royal Assent *May* 12, 733

**POWELL, Sir F. S., Wigan**

*Employers' Liability Bill*  
 Appointment of Com. 208  
 Government Amendments, 785  
 Public Libraries (Ireland) Acts Amendment Bill, Com. 1211  
 Supply—Cairo Agency House, 1342

**POWERSCOURT, Viscount**

*Sale of Intoxicating Liquors (Ireland) Bill*, Com. 1217

**Prisons (see Law and Justice and Police)**

*Prison (Officers' Superannuation)*  
 Con. in Com. *May* 12, 836

**Prison (Officers' Superannuation) Bill**

c. 2R.; Bill withdrawn *May* 16, 1156

**Prison (Officers' Superannuation) (No. 2) Bill**

- c.* Intro. Mr. Asquith; Read 1<sup>o</sup> *May* 15, 1008  
 Read 2<sup>o</sup> *May* 16, 1156  
 Con. in Com., R.P. *May* 17, 1212  
 Com. deferred *June* 1, 1849

**Private and Provisional Order Confirmation Bills**

Standing Orders suspended *May* 15, 895

**Private Bills**

Suspension of Standing Orders *May* 19, 1418

**Prohibited Persons (Drink) Bill**

- c.* Intro. Mr. Bill; Read 1<sup>o</sup> *May* 19, 1372

**PROVAND, Mr. A. D., Glasgow, Blackfriars**

India—Factory Act, 648

**Provisional Orders Bill**

*Standing Orders May* 9, 543; *May* 15, 1008; *May* 18, 1355; *May* 19, 1855; *June* 1, 1855

**Public Accounts—Select Committee**

1. Message from the Commons for leave for the Clerk of the Parliaments to attend as Witness *May* 8, 315  
*c.* Message from the Lords that they give leave to the Clerk to attend as Witness *May* 9, 541

**Public Expenditure and Receipts**

Copy ordered *May* 11, 782

**Public Libraries Act (1892) Amendment Bill**

1. Read 3<sup>o</sup>, with Amendts., and passed *May* 12, 754  
*c.* Lord Amendts. con. and agreed to, with an Amendt. *May* 17, 1212  
 1. Returned from the Commons; Commons Amendt. con. and agreed to *May* 18, 1228

**Public Libraries (Ireland) Acts Amendment Bill**

- c.* Read 2<sup>o</sup> *May* 16, 1156  
 Con. in Com. *May* 17, 1211  
 3R. deferred *May* 18, 1353

**Public Service**

- Compulsory Retirement from*, Q. Mr. G. Bowles; A. Sir J. T. Hibbert *May* 4, 73  
 Q. Captain Bagot; A. Sir E. Grey *May* 15, 899  
 See also title *Civil Service*

**Queen Anne's Bounty**

Q. Mr. Cobb; A. Mr. Asquith *May* 18, 1358

**QUILTER, Mr. W. C., Suffolk, Sudbury**

Delagoa Bay Railway, 54

**Railways—Rates and Charges Select Committee**

Motion for (Mr. Mundella) deferred *May 8*, 426

Motion for (Mr. Marjoribanks) deferred *May 11*, 729

Motion for (Mr. Mundella), Con. deferred *May 15*, 1005

Com. appointed *May 16*, 1151

Message to the Lords for Lord Balfour to attend as Witness *June 1*, 1854

**Railways—Rates and Charges—Select Committee**

Q. Mr. Warner; A. Mr. Mundella *May 5*, 201; Q. Dr. Clark; A. Mr. Mundella *May 11*, 652; Q. Dr. Clark; A. Mr. Marjoribanks *May 11*, 731; Qs. Sir J. Whitehead, Colonel H. Vincent, Mr. Bartley; As. Mr. Mundella, Mr. Speaker *May 15*, 928

**RASCH, Major F. C., Essex, S.E.**

Agricultural Depression, 788

**Army**

Contracts—Foreign Firms, 1535

Enfield Rifles, 637

Guns for the Mercantile Marine, 1265

Non - Commissioned Officers' Promotion, 622, 1357

Derby Day, Res. 1553

Dutch Fruit Baskets—Mark of Origin, 921, 1240

**Supply**

Discharged Soldiers, Employment for, 1405, 1630

London Police Courts, 1299

Whitsuntide Adjournment, Res. 1414

**RATHBONE, Mr. W., Carnarvonshire, Arfon**

Government of Ireland Bill, Com. 578

**Rating of Machinery Bill**

c. Com.; Debate adjourned *May 5*, 255

**REDMOND, Mr. J. E., Waterford**

Government of Ireland Bill, Com., *Clause I.* 473, 515, 602, 664; *Clause II.* 1119, 1121

**REDMOND, Mr. W. H. K., Clare, E.**

Government of Ireland Bill, Com., *Clause J.* Amendments. 493, 494, 654, 656, 657, 659, 665

**Ireland**

Brady, Sir T.—Pension, 620

Clare, Kerry, and Limerick, Crime in, Res. 1777, 1790, 1797

County Carlow Postal Service, 337

Dunshaughlin Union Contracts, 1277, 1757,

General Post Office, 622

Haulbowline Docks, 340

Railway Rates—Butter, 631, 1051, 1361, 1759

Urlingford Telegraph Service, 1235

"Siam Free Press," Attack on, 903

**Supply**

Arabi Pasha, 1508

Condition of Ireland, 1631, 1633

Tuberculosis Commission, 1747

**REED, Sir E. J., Cardiff**

Government of Ireland Bill, Com., *Clause I.* 820; *Clause II.* 1071

Supply—Admiralty Buildings, 343

**Reformatory and Industrial Schools**

*Inspectors' Staff*, Q. Mr. Stuart-Wortley; A.

Mr. Shaw Lefevre *May 29*, 1426

**Reformatory Schools Acts Amendment Bill**

l. Pres. Lord Norton; Read 1<sup>st</sup> *May 12*, 766

Amendts. reported *May 4*, 47

Read 3<sup>rd</sup>, and passed, with Amendts. *May 9*, 441

c. Lords Amendts. con. and agreed to *May 19*, 1420

**Registration Bills**

Q. Mr. T. W. Russell; A. Mr. J. Morley *May 4*, 50; Qs. Sir J. Kinloch, Dr. Macgregor; As. Mr. W. E. Gladstone *May 9*, 462; Qs. Dr. Macgregor, Sir H. Maxwell; As. Mr. Speaker, Mr. W. E. Gladstone *May 11*, 650; Q. Mr. Maxwell; A. Sir G. Trevelyan *May 18*, 1276

**REID, Mr. R. T., Dumfries, &c.**

Government of Ireland Bill, Com. 375, 958, 961

Supply—Vote on Account, 1463

**RENSHAW, Mr. C. B., Renfrew, W.**

Education—Minute of Council, 1893, Res. 1146, 1151

**RENTOUL, Mr. J. A., Down, E.**

Government of Ireland Bill, Com., *Clause I.* 587; *Clause II.* 952, 955, 1102, 1104; *Clause III.* 1208, 1597

London Improvements Bill, Nomination of Com. 614

**Revolvers**

*Hull Dock Strike*, Q. Mr. T. Robinson; A. Mr. Asquith *May 4*, 65

**RICHMOND AND GORDON, Duke of**

Sale of Intoxicating Liquors (Ireland) Bill, Com. 1218

Wild Birds Protection Bill, 2R. 1695, 1696

**RIDLEY, Right Hon. Sir M. W., Lancashire, N., Blackpool**

Supply—Admiralty Buildings, 248

Weights and Measures Bill, Com. 1154

**RIGBY, Sir J. (Solicitor General), Forfar**

Civil Servants—Electoral Privileges, 1241

Customs and Inland Revenue Bill, Com. 148

Government of Ireland Bill, Com., *Clause I.* 723, 795; *Clause II.* 984; *Clause III.* 1615,

1657, 1663, 1664, 1665, 1684, 1813, 1815,

1816, 1817, 1820

Welsh Probate Registries, 786

**Ringstead Churchyard**

Q. Mr. Paul ; A. Mr. Asquith May 29, 1426

**RIPON, MARQUESS OF (Secretary of State for the Colonies)**

Madras and Bombay Armies Bill, 2R. 25

**Rivers Pollution Prevention Bill**

1. Com. ; Reported ; Re-com. to Standing Com.  
May 8, 316

Reported May 9, 440

Amendts. reported May 12, 767

Read 3<sup>a</sup>, and passed May 15, 896

**ROBERTS, Mr. J. B., Carnarvonshire, Eifion**

Carnarvon Education Scheme, 454

**ROBERTS, Mr. J. H., Denbighshire, W.**

Wales, Burial Fees in, 908

**ROBERTSON, Mr. E. (Civil Lord of the Admiralty), Dundee**

Australia and Canada, New Steam Service between, 328

British Columbia—Admiralty Surveys, 1272

Channel Squadron, 910

Coastguard Service, 51

Contracts and Members of Parliament, 627

Distinguished Service, Commission for, 1259

Dockyards

Classification of, 1745

Devonport—Pay Day in and Transfer

Privileges, 1253, 1254

Haulbowline, 64, 340

Wages, 1539

Greenwich Age Pensions, 1740

Guns for the Mercantile Marine, 1265

H.M.S. "*Daphne*," 901

Malta—Shooting of P. Barry, 197

Mediterranean Fleet—Chaplains, 196, 1727, 1728

Navy Votes—Amount Expended, 923

New York—Naval Review—Desertions from British Ships, 902

Scotland—Protection against Trawlers, 898

Supply—Peterhead Harbour, &c. 1460

**ROBINSON, Mr. T., Gloucester**

Revolvers and the Hull Dock Strike, 65

**ROBY, Mr. H. J., Lancashire, S.E., Eccles**

Government of Ireland Bill, Com. 373

**ROLLIT, Sir A. K., Islington, S.**

Police Acts Amendment Bill, Lords' Amendts. 1230

Public Libraries (Ireland) Acts Amendment Bill, 3R. 1353

Railway Rates and Charges, Select Com., Motion for, 1007

Statute Law Revision (No. 1) Bill, 2R. 1851

Statutory Rules Procedure Bill, Com. 1522  
Supply—Skibbereen and Baltimore Railway, 1469

**ROOKWOOD, Lord**

Licensing Boards Bill, 2R. 743

Sale of Intoxicating Liquors (Ireland) Bill, Com. 1213, 1216, 1217

**ROSCOE, Sir H. E., Manchester, S.**

Anthrax, Inoculation against, 1729

**ROSEBERRY, EARL OF (Secretary of State for Foreign Affairs)**

Uganda—Captain Macdonald's Report, &c. 886, 887

**ROSS, Mr. J., Londonderry**

Government of Ireland Bill, Com. 970, 1070

**ROUND, Mr. J., Essex, N.E., Harwich**

Customs and Inland Revenue Bill, Com. 163, 164

School Sanitation, 192

**ROUNDELL, Mr. C. S., York, W.R., Skipton**

Guernsey—Administration, 1052

**ROWLANDS, Mr. J., Finsbury, E.**

Free Education—Accommodation at Pimlico, 59

London County Council (General Powers) Bill, 3R. 446

Metropolitan Gas Accounts, 1762

Supply

House of Lords Offices, 1487

London Police Courts, 1292

Tottenham Fever Hospital, 918

Volunteers—Colour Sergeant Sleaf, 1730, 1731

**ROWLANDS, Mr. W. B., Cardiganshire**

Tithe Collection in Cardiganshire, 1736

**Royal Parks**

Labour in, Q. Mr. Stuart ; A. Mr. Shaw  
Lefevre May 19, 1370

Stand in the Green Park to View the Royal Marriage Procession, Q. Colonel H. Vincent ; A. Mr. Shaw Lefevre June 1, 1761

**RUSSELL, Mr. G. W. E. (Under Secretary of State for India), Beds, N.**

Assam—Trial by Jury, 633

India

Anthrax, Inoculation against, 1729

Army

Hospital Staff Allowances, 66

Officers' Furlough Pay, 1421

Bengal—Trial by Jury, 1239

Bhopal-Ujjain Railway, 324

Bombay Presidency Police Court, 1040

Calcutta

High Court Judges, 1250

Small Cause Court—Appointment of Mr. Ormond, 639, 640

Factory Act, 648

Hemp Drugs, 910

Mortality in, 774

RUSSELL, Mr. G. W. E.—*cont.*

Progress of, 193, 194, 451  
Public Works Department—Complaints, 770  
Return—Lord Lytton's Note, 194  
Salt Duty, 323  
Supreme Court of Legislative Council, 1039  
Telegraph Department, 49, 630

RUSSELL, Mr. T. W., *Tyrone, S.*

Ascension Day, Res. 547  
Government of Ireland Bill, Com. *Clause I.* (*First Night*), 360, 395, 396; (*Second Night*), 526, 529, 531; (*Fourth Night*), 657, 665; (*Fifth Night*), 796, 800, 801, 804; (*Sixth Night*), *Clause II.* 956, 957, 972, 975, 979, 980; (*Seventh Night*), 1065, 1067, 1106, 1107, 1108; (*Eighth Night*), 1168; (*Ninth Night*, *Clause III.* 1568; (*Tenth Night*), 1680

Ireland

Clare, Kerry, and Limerick, Crimes and Outrages in, 194, 195, 1421, 1422, 1423; Res. 1771, 1793, 1794, 1797  
Clogher Post Office, 772  
Education Department—Clerks, 49  
Land Grabbing, 1760  
Magistrates, Licensed Publicans as, 916  
Oath, Administration of, 49  
Railway Rates and Charges—Select Com., Motion for, 1006  
Registration of Electors, 50  
Templemore's, Lord, Tenants, 196  
Ulster and Home Rule, 79, 80

*Russia (No. 1, 1893)*

Copy pres. June 1, 1856

ST. ALBANS, Duke of

Foreign and Colonial Imports—Select Com. 436

St. Clement's, Kensington—*Land Dispute*

Qs. Mr. A. C. Morton, Sir A. Borthwick, Sir C. Dilke, General Goldsworthy; As. Mr. Asquith, Mr. Speaker May 18, 1237

St. Helena

*Emigration to South Africa*, Q. Admiral Field; A. Mr. S. Buxton May 18, 1232  
*Postal Charges*, Q. Admiral Field; A. Mr. A. Morley May 18, 1232

Sale of Intoxicating Liquors (Ireland) Bill

l. Read 2<sup>a</sup> May 5, 177  
Com.; Debate adjourned May 18, 1213

Sale of Intoxicating Liquors (No. 2) Bill

c. Adjourned Debate on 2R. further adjourned May 10, 608

SALISBURY, Bishop of

Elementary Education (Religious Instruction) Bill, 2R. 33; Com. 1527, 1709, 1711, 1712

SALISBURY, Marquess of

Barbed Wire Fences Bill, Com. 759, 761, 764, 765  
Cholera Hospitals (Ireland) Bill, 3R. 1018  
Elementary Education (Religious Instruction) Bill, 2R. 37  
Licensing Boards Bill, 2R. 749  
Limerick County, Lawlessness in, 1720, 1721  
Madras and Bombay Armies Bill, Com. 1017  
Navy, Strength of, Res. 1035, 1037  
Official Liquidators (Ireland) Bill, Com. 176  
Quit-Rents, Claims for, 889, 890  
Standing Orders Con. 1219

SANDHURST, LORD (Under Secretary of State for War)

Elementary Education (Religious Instruction) Bill, Com. 1701  
Government Employment for Discharged Soldiers, 1226, 1227  
Indian and Colonial Volunteer Decorations, 866  
Military Lands (Provisional Orders) Bill, 2R. 301

SANDYS, Colonel T. M., *Lancashire, S.W., Bootle*

Irish Channel, Attempted Suicide in, 1239

SAUNDERS, Mr. W., *Newington, Walworth*

Government of Ireland Bill, Com., *Clause I.* 604  
Property Qualification, 1547  
£20 Franchise, 927  
Horses, Injured—Slaughter of, 1543  
Magistrates, Working-men, 920

SAUNDERSON, Colonel E. J., *Armagh, N.*

Government of Ireland Bill, Com., *Clause I.* 371, 373, 374, 486, 597, 599, 805; *Clause III.* 1604, 1607

SAVORY, Sir J., *Westmoreland, Appleby*

Parcel Post—Glass Articles, 768

SCHWANN, Mr. C. E., *Manchester, N.*

Constantinople, Coal Duties at, 452  
India, Mortality in, 774  
Patents, Specifications for, 769  
Spain, Commercial Treaty with, 1544

SCOBLE, Sir A. R., *Hackney, Central*

Government of Ireland Bill, Com. 1682, 1687

SCOTLAND

Secretary for—Sir G. O. TREVELYAN  
Lord Advocate—Mr. J. B. BALFOUR  
Solicitor General—Mr. ALEXANDER ASHER  
*Allotments*, Qs. Dr. Macgregor, Mr. Macfarlane; As. Sir G. Trevelyan May 15, 912

[*cont.*

## SCOTLAND—cont.

## ARMY

- Artillery Practice at Barry*, Q. Mr. Leng ; A. Mr. Campbell-Bannerman *May* 18, 1231  
*Palaces and Castles*, Debate on, *May* 4, 143  
*Scotch Rifles at Aldershot*, Qs. Captain Grice-Hutchinson, Mr. Macfarlane ; As. Mr. Campbell-Bannerman *June* 1, 1739  
*Seaforth Highlanders*, Q. Mr. Weir ; A. Mr. Campbell-Bannerman *May* 16, 1046  
*Arran, Evictions in*, Q. Dr. Cameron ; A. Sir G. Trevelyan *May* 18, 1276  
*Barry Golf Links* (see sub-heading *Army—Artillery Practice at Barry*)  
*Caithness Road Grant*, Q. Dr. Clark ; A. Mr. J. B. Balfour *May* 19, 1370  
*Deer Forests*  
*Foxes in Ross-shire*, Q. Mr. Weir ; A. Sir G. Trevelyan *May* 18, 1263  
*Dymock, Mary, Case of*, Q. Mr. Macdonald ; A. Sir G. Trevelyan *May* 18, 1241  
*Edinburgh Science and Art Museum—Clerks*, Qs. Mr. Paul ; As. Sir J. T. Hibbert *May* 15, 910 ; *May* 18, 1260  
*Edinburgh Telegraphists—Promotion*, Q. Mr. Paul ; A. Mr. A. Morley *June* 1, 1768

## EDUCATION

- Ballanoch Public School*, Q. Mr. Macfarlane ; A. Sir G. Trevelyan *June* 1, 1739  
*Bowling School Board*, Q. Mr. P. Smith ; A. Sir G. Trevelyan *May* 12, 777 ; Q. Mr. Hozier ; A. Sir G. Trevelyan *May* 18, 1272  
*Decimal System*, Q. Mr. Paul ; A. Sir G. Trevelyan *May* 11, 620  
*Education Code*, Q., Obs. Lord Balfour, Earl of Kimberley *May* 30, 1527  
*Minute of Council*, 1893, Motion for an Address (Sir C. Pearson) *May* 16, 1136  
*Secondary Education Grant*, Q. Mr. Macfarlane ; A. Sir G. Trevelyan *May* 16, 1042

## FISHERIES

- Steam Trawlers—Admiralty Boats for the Protection of Fishermen*, Q. Mr. Weir ; A. Mr. E. Robertson *May* 15, 898 ; Qs. Mr. Weir, Mr. Buchanan, Mr. Macfarlane ; As. Sir G. Trevelyan *May* 18, 1255  
*Ullapool River—Action against Fishermen*, Q. Mr. Weir ; A. Mr. J. B. Balfour *May* 18, 1231  
*Garve and Ullapool, Distress in—Railway Scheme, &c.*, Qs. Mr. Weir ; As. Sir W. Harcourt, Sir G. Trevelyan *May* 4, 56 ; Q. Mr. W. Whitelaw ; A. Sir G. Trevelyan *May* 9, 451 ; Qs. Mr. W. Whitelaw, Dr. Macgregor ; As. Sir G. Trevelyan *May* 12, 770  
*Invergordon Water Supply*, Q. Mr. Weir ; A. Sir G. Trevelyan *June* 1, 1751  
*Lewis, Island of*  
*Communication in—Light Railways, &c.* Q. Mr. Weir ; A. Sir G. Trevelyan *May* 4, 69  
*Fever in*, Q. Mr. Weir ; A. Sir G. Trevelyan *May* 5, 193

## SCOTLAND—cont.

- Mint and the Treaty Union*, Q. Mr. A. C. Morton ; A. Sir G. Trevelyan *June* 1, 1762  
*Palaces and Castles*, Debate on, *May* 4, 143  
*Parochial Medical Officers*, Q. Mr. Weir ; A. Sir G. Trevelyan *May* 8, 321  
*Portmahomack Harbour*, Qs. Mr. Weir, Mr. Caine ; As. Sir G. Trevelyan *May* 9, 448  
*Prisons*  
*Alleged Overcrowding*, Q. Mr. W. Whitelaw ; A. Sir G. Trevelyan *May* 8, 340  
*Inverness*, Qs. Mr. W. Whitelaw ; As. Sir G. Trevelyan *May* 18, 1250 ; *May* 30, 1539  
*Procurotors Fiscal, Duties of*, Q. Mr. A. C. Morton ; A. Mr. J. B. Balfour *May* 18, 1248  
*Railway Rates*, Q. Mr. Jacks ; A. Mr. Muddell *May* 5, 191  
*Ross-shire, Health of*, Q. Mr. Weir ; A. Sir G. Trevelyan *May* 4, 55

## Sea Fisheries Regulation (Scotland) Bill

c. Com. deferred *June* 1, 1849

## Sea Fishermen's Voting (Scotland) Bill

c. Intro. Mr. Crombie ; Read 1° *May* 5, 300

## SELBORNE, Earl of

Elementary Education (Religious Instruction) Bill, Com. 1710, 1711, 1712

SEXTON, Mr. T., *Kerry, N.*

Government of Ireland Bill, 204 ; Com., *Clause I.* 505, 506, 801, 803 ; *Clause II.* 1087, 1100, 1101, 1114, 1129, 1130, 1203, 1204 ; *Clause III.* 1206, 1568, 1641, 1814, 1820, 1821, 1846  
 Financial Questions, 459

## Ireland

- Church Fund, 633  
 Clare, Kerry, and Limerick, Crimes and Outrages in, 1423, 1533 ; Res. 1773, 1776, 1778, 1779  
 Financial Returns, 54  
 Hunter, John—Conviction of, 644  
 Land Grabbing, 1272  
 Seed Loans, 921  
 Ulster and Home Rule, 80  
 Wicklow County, Outrages in, 1366  
 Irish Channel, Attempted Suicide in, 1240  
 Norwegian Analogy to Irish Home Rule, 75  
 Parliament  
 Committees, Questions of Order in, 789  
 Davitt, Mr.—Resignation of, 546, 547  
 Supply—Condition of Ireland, 1635

## SHAND, Lord

Elementary Education (Religious Instruction) Bill, Com. 1702, 1710, 1711, 1712

## Shanghai Gaol

*Supply of Boots to*, Q. Mr. G. Bowles ; A. Sir E. Grey *May* 9, 455

*Shipping* (see *Merchant Shipping*)

*Shipping Federation* (see *Merchant Shipping*)

*Ship Rocket Apparatus*

Q. Mr. Luttrell; A. Mr. Mundella *May* 5, 109

*Shops, Hours of Labour in* (see *Labour Department*)

*Siam*

*France—Occupation of Siamese Posts*, Q. Mr. Curzon; A. Sir E. Grey *June* 1, 1748  
*"Free Press," Attack on*, Q. Mr. W. Redmond; A. Sir E. Grey *May* 15, 903

*SIDEBOTTOM, Mr. W., Derbyshire, High Peak*

Supply—Houses of Parliament Buildings, 230

*SIDMOUTH, Viscount*

Discharged Soldiers, Government Employment for, 1223

*SITWELL, Sir G. R., Scarborough*

Telegraphic Communication at Scarborough, 1364

*Slavery*

*East Africa*, Q. Mr. T. Bayley; A. Sir E. Grey *May* 8, 331

*SMITH, Hon. W. F. D., Strand, Westminster*

Parcel Post Delays, 65

*SMITH, Mr. A., Herts, E.*

Woolwich Barracks, 1242, 1243

*SMITH, Mr. C., Hull, E.*

Shipping Federation, Res. 107

*SMITH, Mr. J. P., Lanark, Partick*

Customs and Excise—Warehousing Code, 624  
 Employers' Liability Bill, Appointment of Com. 209

Government of Ireland Bill, Com., *Clause I.* 358, 360, 420, 503, 505, 506; *Clause II.* 1002, 1168, 1169, 1170, 1171, 1173, 1174, 1176, 1177; *Clause III.* 1589, 1688, 1815, 1816, 1817, 1845, 1846

Scotland

Bowling School Board, 777

Education—Minute of Council, 1893, Res. 1150

Palaces and Castles, 145

Supply—British Museum, 1304

*SMITH, Mr. S., Flintshire*

Catholic Schools, Free Education in, 768

Evening School Code, 1270

Kanaka Labour Traffic, 324

Malta—Tract Distribution Disturbances, 328

*SMITH, Mr. W., Lancashire, N., North Lonsdale*

Furness Railway Company, 1257

*SNAPE, Mr. T., Lancashire, S.E., Heywood*

North Sea Fisheries Bill, Com. 1382

Questions—Saving the Time of the House, 1372

SOLICITOR GENERAL—SIR J. RIGBY

*Somerset House Chemists* (see title *Customs, Excise, and Inland Revenue*)

*South Kensington, Burglaries at*

Q. Sir A. Borthwick; A. Mr. Asquith *May* 19, 1362

*South Kensington Museum—Mr. Frank Buckland's Collection*

Q. Colonel Murray; A. Mr. Acland *May* 18, 1263

*Southampton Customs Launch*

Q. Mr. T. Chamberlayne; A. Sir J. T. Hibbert *May* 30, 1534

*Southern Railway (Ireland) Bill*

c. Intro. Sir J. T. Hibbert; Read 1<sup>o</sup> *May* 18, 1355

*Spain*

*Commercial Treaty with*, Q. Mr. Schwann; A. Sir E. Grey *May* 30, 1544

*Lucas, Mr. S., A.R.A.—Claims on Spanish Railway*, Q. Mr. Montagu; A. Sir E. Grey *May* 8, 321

*Speaker, The* (RIGHT HON. ARTHUR WELLESLEY PEEL), *Warwick and Leamington*

ADJOURNMENT OF THE HOUSE

As the subject was not discussed on the Vote on Account it was competent to bring it forward on a Motion for Adjournment. Whether it was a matter of urgent public importance would be for the House to judge, *June* 1, 1771

CLOSURE

The question was whether the Closure could be moved after a speech had been made on a general subject, or after reasons given for moving it. A similar question was raised in August, 1887, when a right hon. Gentleman made a long and controversial speech, and at the end of it moved the Closure. A Member raised the point, and the Speaker then told him that the question had been settled by former precedents, and that it was competent for a Member at the close of a speech to move the Closure. But the Speaker was bound to say, after an experience of many years, that for a Mem-

[cont.]



*SPEAKER, THE—Closure—cont.*

ber to make a controversial speech, and then move the Closure, was scarcely in conformity with the spirit of the Rule, because such a course shut out an answer to the speech. It would be improper and contrary to the spirit of the Rule to move the Closure, and then to give reasons; and, therefore, it would be improper to give reasons for moving the Closure, and then to move it. The question of accepting the Closure was within the discretion of the Speaker, or the Chairman, and they would be guided by the circumstances under which the Closure was moved. If a Division on a Motion for reporting Progress, or any other question, was taking place before the hour for the interruption of opposed Business, the time for the interruption of opposed Business was, so to speak, projected forward; and after the Division on the Motion under discussion at the usual hour for the interruption of Business, it would be competent for a Member to move the Closure *May 12, 1790, 791*

According to the Standing Order it was open for any Member to move the Closure *May 30, 1547*

*COMMITTEES*

*Closure* (see that sub-heading)

*Instructions to Committees (Government of Ireland Bill)*—The principles which guide and limit the system of Instructions on going into Com. were, first, an Instruction must empower the Com. to do something which the Com. was not otherwise empowered to do; secondly, the purpose of an Instruction must be supplementary and ancillary to the purpose of the Bill, and must fall within the general scope and framework of the Bill; thirdly, it was irregular to introduce into a Bill by an Instruction a subject which should properly form the substance of a distinct measure, having regard to the usage and the general practice of enacting distinct Statutes for distinct branches of law. Having these general principles and limitations in view, the Speaker considered the 13 Instructions on the Paper. The first Instruction (Mr. Kimber's) properly formed the subject of a separate measure, so far as it related to the representation of Great Britain, and as regards that of Ireland no Instruction was necessary. The second (Mr. Parker Smith's) dealt with the *ad referendum* principle, and that was the Instruction which gave the Speaker the most anxiety; but he came to the conclusion that an *ad referendum* was a matter of such transcendent importance that it could not be brought within the scope of the Bill by an Instruction. The *ad referendum* had been included in the provisions of some Private Bills, enabling the ratepayers to decide by vote whether or not they should adopt a particular Act which imposed a charge upon them. But this Instruction was a proposal to enable the electors to override the decision of the House of Commons, to go over the heads of the cl.e'd

*SPEAKER, THE—Committees—cont.*

Representatives of the people, and to submit to the electors generally whether a Bill of this great magnitude should come into force or not. That, the Speaker thought, was quite beyond the scope of the Bill, and could not be brought within the scope of the Bill by an Instruction. The third (Mr. Bousfield's) might be done in Com. without an Instruction. *The fourth and fifth* (standing in the name of the Member for Oxford) which dealt with the Army and Militia were beyond the scope of the Bill. The Militia was a part of the Military Forces, and, like the Army, was under the control of the Military Authorities; and it would be an improper dictation to the Executive, and to the Authorities of the Army, to interfere with the movement of troops from one portion of the Kingdom to another. That could not be considered as ancillary to the Bill. It was beyond the scope of the Bill, and could not be brought within the scope of the Bill by an Instruction. *The Sixth* (Mr. Beckett's) was a modified *ad referendum*. While the Speaker held that a Bill such as this could not be over-ridden by an appeal to the electors, he was far from saying that in particular localities the *ad referendum* principle could not be adopted. There was also proposed in No. 6 that Ulster might be empowered to exclude itself from the Bill. Ulster might be excepted from the Bill, as any other portion of the United Kingdom might be, but this could always be done without an Instruction. This local *referendum* was a different thing from saying that the whole Bill could be over-ridden by an appeal to the electors over the heads of the Representatives of the electors in the House of Commons. *The Seventh* (Member for Bolton's) could be proposed in Com. without an Instruction. *The Eighth* (Sir R. Temple's) was so indefinite that it was out of Order; but the Speaker thought its object could be effected in Com. without an Instruction. *The Ninth* (Mr. T. W. Russell's) was a Land Bill of the widest scope, and formed a distinct subject of legislation. *The Tenth* (Mr. Heneage's) was a Reform Bill, and fell within the same category. *The Eleventh* (Mr. G. Bowles'), which proposed to divide the Bill into two parts, was, according to all precedents, distinctly in Order. *The Twelfth* (Mr. J. Collings') dealt with the exclusion of Ulster, which could be effected by Amendments, in Com. without an Instruction. *The Thirteenth* (Viscount Wolmer's), could also be carried into effect under the Bill without an Instruction. To summarise what the Speaker had said—Part of No. 1, No. 2, Nos. 9 and 10 would require separate Bills; Nos. 3, 7, 12, and 13 could be dealt with in Com.; Nos. 4 and 5 were beyond the scope of the Bill, and No. 8 was not sufficiently definite, and No. 11 was in Order. *May 5, 205, 206, 207*

Out of the three proposals standing on the Paper to instruct the Com. the first (Lord R. Churchill's), to confer on the Com. the power of suspending the operation of Standing Order No. 35, and to allow

*SPEAKER, THE—Committees—cont.*

the Motion to be revived that the Preamble be postponed, was technically out of Order, inasmuch as it empowered the Com. to do what the Speaker had never heard of the House empowering a Com. to do—to alter or suspend a Standing Order of the House. A Standing Order could be altered by Res. of the House; but a Com. could not do so. and it had never been delegated to a Com. to exercise such power. The object of the Instruction was clearly to promote a discussion on the question of the supremacy of the Imperial Parliament, and to propose to take that discussion at once on the Question that the Preamble be postponed. Before 1882, when the Standing Order was passed, which directed that the Preamble should stand postponed, so that it should be taken last without the possibility of discussion, great abuse had sprung up in the House from a repetition of Second Reading Debates on this usually formal Motion on the Preamble; and it was deliberately enacted by the House that the Preamble should stand postponed without any Motion, and be always and without question, as it was usually, taken last. The object of the course, was to enable any alterations to be made in it consonant with any alterations made in the Bill in the course of the Com. It would be impossible to discuss the Preamble first and then to amend the Bill, as it might well be that the Preamble would not be consistent with the alterations made in Com. That was the object of postponing the Preamble, and it was not within the Speaker's power to sanction such a grave departure from ordinary practices as to deliberately undo the Standing Order relating to the conduct of Bills in their passage through the House. With reference to the *Second* (General Goldsworthy's) Instruction, it would be competent for the Member in Com. to propose what the Instruction proposed—to abolish the Office of Lord Lieutenant, and to transfer the Office to the Crown. The *Third* (Mr. Darling's), which was to re-establish the House of Lords in Ireland, and to transfer the judicial business on appeals thereto, could also be achieved in Com., and it would be in his power to constitute a House of Lords in any way he thought expedient, and he might clothe it with any appellate or other jurisdiction he thought proper. On those grounds all three Instructions were out of Order.

Mr. Speaker did not say that on no occasion could a Standing Order be abrogated. What he said was that he had never heard, and was unwilling to set the precedent of the House instructing a Com. to abrogate a Standing Order of the House *ad hoc*. If such a thing were done it ought to be done by distinct Resolution, and not by merely an enabling power to overrule the Standing Order conferred by a contingent Motion. The Member asked when he could raise the question of the supremacy of the Imperial Parliament, and Mr. Speaker replied that he was bound to decide such questions as

*SPEAKER, THE—cont.*

they arose on points of Order. The first Amendt. in Com. on the Paper would, however, enable the whole question of the supremacy of the Imperial Parliament to be raised *May 8, 345, 346, 347*

Water Provisional Order (No. 2) Bill—The House had sanctioned the 2R. of a cluster of Bills of which this Bill formed one. To move an Instruction that they had power to strike out one whole Bill was quite an unprecedented exercise of the right of Instruction, and would not be in Order. A Member, however, had got his remedy. The time for petitioning had not expired; and, if a Petition was presented, it would go before the ordinary Com., and would be dealt with as that Com. thought fit *May 18, 1230*

The question of the nomination of a Select Com. must stand over when a Member objected to a name *May 10, 546*

Mr. Speaker having been asked a question on the moving of the Closure, it was his duty to interpret the Standing Order without any intention of reflecting on anything or any Member with regard to the discussion of the night before *May 12, 789*

Questions arising in Com. should be decided there and then *May 12, 790*

*DERBY DAY ADJOURNMENT MOTION*

Up to the year 1878 it was the custom for the Government to make the Motion, but it had since been in the hands of private Members, and the fact of the Motion being rejected last year was no reason why a Member should not bring it forward again *May 15, 930*

*MEMBERS — UNPARLIAMENTARY LANGUAGE*

The word "Shame" was an expression the Speaker had always endeavoured to restrain; but when a Member frankly acknowledged the un-Parliamentary character of the expression, the Speaker had nothing more to say *May 11, 731; May 12, 790*

Had the Speaker heard the Member say "A party in this House," the Speaker would have called him to Order *June 1, 1776*

*MISCELLANEOUS*

*May 4, 75, 80, 119; May 5, 216, 297, 299; May 11, 610, 650; May 12, 784; May 18, 1278; May 30, 1557, 1627; June 1, 1726*

*OBJECTIONS TO BILLS BEING TAKEN AFTER TWELVE O'CLOCK*

The Speaker could not say that a Member was out of Order, but the power of objecting after 12 o'clock ought to be used with some discrimination. The time was coming when some change would have to be made to prevent objections which were made indiscriminately *June 1, 1852*

**SPEAKER, THE**—cont.

**QUESTIONS**

If a Member would take upon himself the responsibility of the statements, he could ask whether those statements were true. The better course would be, if the Member could not take upon himself the responsibility of the statements, to ascertain the facts, or else give notice of his question *May 18, 1238*

Limiting the number of Questions—A Member might have a legitimate curiosity which would necessitate the asking of many questions *May 19, 1372*

Editing and answering Questions by the various Departments would be a very responsible duty *May 19, 1372*

The Rule that a Member should forfeit his right for the day if he were not in his place at Question time would tend to swell the number of Questions, as those Questions could be put down on the next day *May 19, 1372*

**RULES AND ORDER OF DEBATE**

The question of how many speeches were made on the 2R. of a Bill could not be discussed on a Res. for referring a Bill to a Grand Com. *May 5, 208*

It was irregular to discuss the composition of a Committee (Railway Rates and Charges), which had not been struck, on the 3R. of a Railway Bill. If a Member had any objections to the Com. he could raise it when the question of the nomination of the Com. comes on *May 9, 442*

It was out of Order to discuss the conduct of the Board of Trade with regard to all the Railway Companies in the United Kingdom on the 2R. of a Bill for one particular Company *May 11, 610*

It was out of Order to refer to a Bill on the Report of a Vote on Account *May 30, 1622*

A Member was near the infringement of the Rule which says that a Member must not comment, except upon Motion in due course, upon the conduct of the Judges of the land, or impute to them, arising out of political circumstances, any bias in their conduct *June 1, 1807*

**SPENCER, EARL** (First Lord of the Admiralty)

Navy, Strength of, Res. 1028, 1036, 1038

Sale of Intoxicating Liquors (Ireland) Bill, 2R. 184, 1216

**SPENCER, Mr. E., West Bromwich**

Labour Correspondents, 338

Railway Rates at West Bromwich, 339

**STANHOPE, Right Hon. E., Lincolnshire, Horncastle**

Government of Ireland Bill, Com., *Clause I.* 714, 715, 717; *Clause II.* 978, 980

Supply—Education—Departmental Circular, 1621

**STANLEY, Lord, Lancashire, S.E., Westhoughton**

Derby Day, 1052; Res. 1557

**STANLEY of ALDERLEY, Lord**

India

Home Charges, Motion for Address, 883  
Phillips, Mr., Res. 307, 315

*Stationery Office Contracts* (see *Government Contracts*)

*Statute Law Revision Bills—Joint Committee*

*Copyhold (Consolidation) Bill* referred to, *May 4, 168; May 5, 189, 257*

**Statute Law Revision (No. 1) Bill**

c. Read 2<sup>o</sup> *June 1, 1850*

*Statute Law Revision Bill*

Q. Mr. Howell; A. Mr. W. E. Gladstone  
*June 1, 1767*

**Statutory Rules Procedure Bill**

c. Com. deferred *May 29, 1522*

**STEPHENS, Mr. H. C., Middlesex, Hornsey**

Infectious Disease Patients, Transport of, 914

**STEWART, Sir M. J., Kirkcudbright**

Church of Scotland Bill, Intro. 462

House of Commons Electric Light, 636

Scotland—Education—Minute of Council, 1893, Res. 1150

*Still Births—Returns*

Q. Dr. Cameron; A. Mr. Asquith *May 4, 55*

**STOREY, Mr. S., Sunderland**

Government of Ireland Bill, Com., *Clause I.* 513, 514, 709, 710, 712, 713, 714, 715; *Clause II.* 985

Uganda—Sir G. Portal's Mission, 1732

**STRACHEY, Mr. E., Somerset, S.**

Government Contracts and Members of Parliament, 627

Government of Ireland Bill, Com. 1112

Outdoor Relief (Friendly Societies) Bill, Com. 1210

**STUART, Mr. J., Shoreditch, Hoxton**

Royal Parks, Labour in, 1370

Supply—London Police Courts, 1289

**SUDELEY, Lord**

Navy, Strength of, Res. 1023, 1027, 1037

# Suffolk County Council Committee (Borrowing Powers) Bill

1. Com.; Reported; Standing Com. negative  
*May 4, 47*

Read 3<sup>rd</sup>, and passed *May 5, 190*  
Royal Assent *May 12, 733*

# Superannuation Act, 1884

Copy pres. *June 1, 1856*

# SUPPLY

## CIVIL SERVICES AND REVENUE DE- PARTMENTS.

### VOTE ON ACCOUNT.

Estimate pres. *May 18, 1356*

£4,810,250—Com. *May 29, 1427*—Motion to  
reduce £1,000—Surveys (Mr. T. Chamber-  
layne), 1453; Division, 1453; Motion to  
reduce, £500—Harbours under Board of  
Trade (Mr. G. Bowles), 1459; Division,  
1459; Motion to reduce, £1,000—House  
of Lords Offices (Mr. A. C. Morton), 1484;  
Division, 1490; Original Question put,  
and agreed to, 1521; Report *May 30, 1617*

### CIVIL SERVICE ESTIMATES, 1893-94.

## CLASS I.—PUBLIC WORKS AND BUILDINGS.

£31,745—Royal Palaces and Marlborough  
House

£76,064—Royal Parks and Pleasure Gar-  
dens

£33,095—Houses of Parliament Buildings

£41,200—Admiralty Extension Buildings,  
Con. in Com., and Votes agreed to *May 5,*  
225; Report *May 8, 423*

£48,719—Miscellaneous Legal Buildings,  
Con. in Com. *May 5, 249*; Motion to reduce,  
£6,000—London Police Courts (Mr.  
Labouchere), 251; Motion withdrawn;  
R.P. 253; Further Con. *May 18, 1288*;  
Motion to reduce, £50—Metropolitan  
Police Court Buildings (Mr. Bartley), 1292;  
Question put, and negative, 1300; original  
Question put, and agreed to, 1301; Report  
*May 19, 1418*

£22,951—Art and Science Buildings, Great  
Britain

£25,201—Diplomatic and Consular Build-  
ings; Con. in Com., and Votes agreed to  
*May 18, 1301, 1335*; Report *May 19, 1418*

£283,923—Revenue Departments Buildings,  
Con. in Com., R.P. *May 18, 1344*

Con. in Com., and Vote agreed to *May 19,*  
1386; Report *May 29, 1524*

£170,232—Public Buildings, Great Britain,  
Con. in Com., and Vote agreed to *May 19,*  
1401; Report *May 29, 1524*

# Supply

Q. Mr. Bartley; A. Mr. W. E. Glad-  
stone *May 9, 462*

Statement, Mr. W. E. Gladstone *May 12, 788*  
*Vote on Account*, Qs. Mr. Goschen, Mr.  
Stuart-Wortley; As. Mr. W. E. Gladstone  
*May 17, 1163*; Q. Mr. Bartley; A. Sir J. T.  
Hibbert *May 18, 1279*

Votes for Public Buildings—Details of Con-  
struction, Q. Mr. Forwood; A. Sir J. T.  
Hibbert *May 12, 781*

# Supreme Court of Judicature Bill

1. Pres. (Lord Herschell) *May 18, 1229*

# Suspensory Bills

Scotch (see title *Church of Scotland Bill*)

# SWAZILAND (see AFRICA)

# Swine Fever (see Agriculture)

# TALBOT, Mr. J. G., Oxford University

Indian Public Works Department, 770  
Walsall Bluecoat School, 1749, 1750

# Target Practice Seawards

Q. Mr. Mildmay; A. Mr. Campbell-Banner-  
man *May 12, 785*

# Telegraphs (see Post Office)

# TEMPLE, Sir R., Surrey, Kingston

Customs and Inland Revenue Bill, Con. 255  
Government of Ireland Bill, Com., *Clause I,*  
397, 398, 696; *Clause II.* 986; *Clause III,*  
1210, 1558

Labour Arbitration Bill, 1547

North Sea Fisheries Bill, 786

Parliamentary Debates—Correction of  
Speeches, 1534

# Supply

Diplomatic and Consular Buildings, 1337

Education—Departmental Circular, 1618

Royal Parks and Pleasure Gardens, 226

Science and Art Buildings, 1305, 1314

Vote on Account, 1549

# Thames Conservancy Board and the County Council

Q. Mr. H. L. W. Lawson; A. Mr. Mundella  
*May 4, 56*

# The "Labour Gazette" (see Labour Department)

# THOMAS, Mr. D. A., Merthyr Tydvil

Central Telegraph Office—Promotions, 634

Mines (Eight Hours) Bill, 649

South Wales Mails, 621

# THORBURN, Mr. W., Peebles and Selkirk

Scotland—Education—Minute of Council,  
1893, Res. 1145

Supply—Skibbereen and Baltimore Railway  
Pier, 1470

# THRING, Lord

Barbed Wire Fences Bill, 2R. 303; Com. 759,  
760, 763, 764, 765

# Tithe Disturbances

Qs. Mr. Griffith-Boscawen, Mr. S. T. Evans,  
Mr. Burnie, Mr. C. E. H. Hobhouse; As. Mr.  
Asquith *May 12, 791*; Qs. Mr. Griffith-  
Boscawen, Mr. Rees-Davies, Mr. S. T.  
Evans, Mr. B. Rowlands; As. Mr. Speaker,  
Mr. Asquith *June 1, 1736*

**TOMLINSON, Mr. W. E. M., Preston**

Ascension Day, Res. 550  
Employers' Liability Bill, Appointment of  
Com. 225

Government of Ireland Bill, Com., *Clause II.*  
1135; *Clause III.* 1687, 1688

Lee-Metford Rifle, 639

Mines (Eight Hours) Bill, 650

Supply

Post Office, &c. 1351, 1393, 1399

Westminster Clock Tower Light, 233

Treasury Chest Fund Bill, Com. 1287

**Tottenham Fever Hospital**

Qs. Mr. Howard, Mr. James Rowlands; As.  
Mr. H. H. Fowler *May* 15, 906, 918; Q.  
Mr. A. O'Connor; A. Mr. H. H. Fowler  
*May* 16, 1047

**Trade and Commerce**

*Advertisements on Agricultural Lands*, Q.  
Mr. Boulnois; A. Mr. Gardner *June* 1,  
1729

*Civil Servants as Directors of Companies*, Qs.  
Mr. Fisher, Mr. Hanbury, Mr. Bartley; As.  
Sir J. T. Hibbert *May* 8, 326; Q. Mr.  
Field; A. Sir J. T. Hibbert *May* 11, 634

*Commercial Treaty with Spain*, Q. Mr.  
Schwann; A. Sir E. Grey *May* 30, 1544

*Foreign and Colonial Imports*, Select Com.  
(see that title)

*Milk, Analysis of*, Q. Lord G. Hamilton; A.  
Mr. H. H. Fowler *May* 13, 1530

**TRADE, BOARD OF**

President—Mr. MUNDELLA

Secretary—Mr. T. BURT

*Clyd, River—Dredging in*, Q. Mr. Willox;  
A. Mr. Mundella *May* 16, 1040

*Company Law—Limited Liability Com-  
panies*, Q. Mr. S. Evans; A. Mr. Mundella  
*May* 11, 631; Qs. Mr. T. Bayley, Mr.  
Addison; As. Mr. Mundella *May* 15, 924;  
Q. Mr. Barrow; A. Mr. Mundella *May* 18,  
1250

*Dutch Fruit Baskets—Mark of Origin*, Qs.  
Major Rasch; As. Mr. H. H. Fowler  
*May* 15, 921; Q. Major Rasch; A. Mr.  
Mundella *May* 18, 1240

*Hansard Union Prosecution* (see title *Law  
and Justice and Police*)

*Labour Department* (see that title)

*Marking of Foreign Meat*, Q. Colonel H.  
Vincent; A. Mr. H. Gardner *May* 30, 1536  
*Marking of Foreign Meat*, Select Com. (see  
that title)

*Merchandise Marks*, Q. Colonel H. Vincent;  
A. Mr. Mundella *May* 18, 1273

*Merchant Shipping* (see that title)

*Weighing of Cattle* (see title *Agriculture*)

**Trade Disputes (Arbitration and Con-  
ciliation) Bill**

c. 2R. deferred *May* 29, 1522

**Trade Reports (Annual Series)**

Copy pres. *May* 19, 1420; *June* 1, 1856

**Tramways Provisional Orders Bill**

c. Intro. Mr. Burt; Read 1° *May* 5, 556  
Read 2° *May* 19, 1419

**Treasury Chest Fund Bill**

c. Con. in Com. *May* 18, 1280

l. Read 1° *May* 30, 1528

**TREVELYAN, RIGHT HON. Sir G. O.  
(Secretary for Scotland), Glasgow,  
Bridgeton**

Housing of the Working Classes (Edinburgh)

Provisional Order Bill, Intro. 542

Registration of Voters (Scotland) Bill, 1277

Scotland

Allotments, 912, 913

Arran, Evictions in, 1276

Deer Forests—Foxes in Ross-shire, 1263

Dymock, Mary, Case of, 1241

Education

Ballanoch Public School, 1739

Bowling School Board, 777, 1272

Decimal System, 621

Mifute of Council, 1893, Res. 1143, 1151

Secondary Education Grant, 1042

Fisheries—Steam Trawlers—Protection of  
Fishermen, 1255

Gairloch Medical Officers, 322

Garve and Ullapool, Distress in—Railway  
Scheme, &c. 56, 452, 771

Invergordon Water Supply, 1752

Lewis, Island of

Fever in, 193

Roads and Light Railways in, 69

Mint and the Treaty of Union, 1762

Portmahomack Harbour, 448

Prisons

Inverness, 1251, 1539

Overcrowding, 340

Ross-shire, Health of, 55

Sea Fisheries Regulation (Scotland) Bill,  
Com. 1849

Supply—Affairs in Scotland, 1628

**Triple Alliance**

Q. Mr. Labouchere; A. Sir E. Grey *June* 1,  
1738

**Tuberculosis (see Agriculture, Board  
of)****TUITE, Mr. J., Westmeath, N.**

Dominica—Disturbances, 645

**TULLY, Mr. J., Leitrim, S.**

Inland Revenue Removals, 1270

**TURKEY**

*Armenia* (see that title)

*Constantinople, Coal Duties at*, Q. Mr.  
Schwann; A. Sir E. Grey *May* 9, 452

**TYRONE, Lord**

Leave given to Speak Sitting during the  
Session *May* 4, 1

UGANDA (*see* AFRICA)UNITED STATES (*see* AMERICA)**Vaccination**

*Blood Poisoning from*, Q. Mr. Hopwood ; A. Sir W. Foster *June 1*, 1744

*Calf Lymph*, Q. Mr. Wharton ; A. Sir W. Foster *May 8*, 334

*Compulsory Vaccination*, Res. (Mr. Hopwood) *May 12*, 837

**Vaccination Bill**

*c.* Intro. Mr. Asquith ; Read 1<sup>o</sup> *May 11*, 732

**Vaccination Bill**

Q. Mr. A. J. Balfour ; A. Mr. Asquith *May 11*, 650

**Vehicles' Lights Bill**

*c.* 2R. ; Bill withdrawn ; Leave given to present another Bill *May 8*, 428

**Vehicles' Lights (No. 2) Bill**

*c.* Intro. ; Read 1<sup>o</sup> *May 9*, 542

VINCENT, Colonel C. E. H., *Sheffield, Central*

Admiralty Contracts—Foreign Firms, 1535

Agricultural Depression, 641

Alien Immigration, 1357

Foreign Meat, Marking of, 1536

House of Commons Accommodation, 128, 899

Irish Police Enfranchisement Bill, 2R. 1523

"*Labour Gazette*," 1275

Merchandise Marks, 1273

Norwegian Analogy to Irish Home Rule, 74

Public Libraries (Ireland) Acts Amendment Bill, Com. 1211, 1212

Railway Rates, Select Com. 426, 929

Royal Marriage—Erection of Stands in the Green Park, 1761

Vaccination, Compulsory, Res. 857

VIVIAN, Sir H. H., *Swansea, District*

Dominica, Disturbances in, 1365

**Voluntary Conveyances Bill**

*l.* Amendts. reported *May 4*, 47

Read 3<sup>o</sup>, and passed *May 5*, 190

*c.* Read 1<sup>o</sup> *May 10*, 607

Read 2<sup>o</sup> *May 17*, 1212

## WALES

*Bangor College*, Q. Mr. S. Leighton ; A. Mr. Acland *May 11*, 636

*Burial Fees*, Q. Mr. H. Roberts ; A. Mr. Asquith *May 15*, 908

*Clwyd Dredgings*, Q. Mr. Willox ; A. Mr. Mundella *May 16*, 1040

*Intermediate Education—Carnarvon Scheme*, Q. Mr. B. Roberts ; A. Mr. Acland *May 9*, 454

*Magistracy, County—Appointments*, Qs. Mr. H. Hobhouse, Mr. J. E. Ellis ; As. Mr. Asquith *May 4*, 68

WALES—*cont.*

*Newcastle-Emlyn Assault Case*, Q. Mr. Griffith-Boscawen ; A. Mr. Asquith *June 1*, 1769

*Probate Registries*, Q. Mr. H. Lewis ; A. Sir J. Rigby *May 12*, 786

*South Wales Mails*, Q. Mr. D. Thomas ; A. Mr. A. Morley *May 11*, 621

*Tithe Disturbances*, Qs. Mr. Griffith-Boscawen, Mr. S. T. Evans, Mr. Burnie, Mr. C. E. H. Hobhouse ; As. Mr. Asquith *May 12*, 791 ; Qs. Mr. Griffith-Boscawen, Mr. B. Rowlands, Mr. S. T. Evans, Mr. Rees-Davies ; As. Mr. Speaker, Mr. Asquith *June 1*, 1736

WALLACE, Mr. R., *Edinburgh, E.*

Government of Ireland Bill, Com. 605

*Walsh, Rev. F. B.—Attack on*

Qs. Sir E. Ashmead - Bartlett ; As. Mr. Asquith *May 8*, 338 ; *May 15*, 927

Debate on in Com. of Supply *May 29*, 1494, &c.

## WALSINGHAM, Lord

Wild Birds Protection Bill, 2R. 1700

**War Office** (*see* ARMY)

Secretary of State—Mr. CAMPBELL-BANNERMAN

Under Secretary of State—Lord SANDHURST

Financial Secretary—Mr. W. WOODALL

WARING, Colonel T., *Down, N.*

Labourers' Cottages, 336

WARNER, Mr. T. C. T., *Somerset, N.*

Customs and Inland Revenue Bill, Com. 157

Railway Rates Committee, 201

**Water Provisional Orders (No. 1) Bill**

*c.* Intro. Mr. Burt ; Read 1<sup>o</sup> *May 5*, 256

Read 2<sup>o</sup> *May 30*, 1640

**Water Provisional Orders (No. 2) Bill**

*c.* Intro. Mr. Burt ; Read 1<sup>o</sup> *May 5*, 256

Read 2<sup>o</sup> *May 17*, 1157

Instruction to Com. *May 18*, 1230 ; *June 1*, 1723

## WATERFORD, Marquess of

Barbed Wire Fences Bill, Com. 758, 762

Official Liquidators (Ireland) Bill, Com. 172

Quit-Rents, Claims for, 891

**Watermen and Lightermen Acts Amendment Bill**

*c.* 2R. deferred *June 1*, 1853

WAYMAN, Mr. T., *York, W.R., Elland*

Government of Ireland Bill, Com. 1688

**WAYS AND MEANS**

Consolidated Fund (No. 2) Bill; Res. to grant out of the Consolidated Fund towards making good Supply for the year ending *Mar* 31, 1894, the sum of £9,543,243; Com. *May* 29, 1824; Report *May* 30, 1640

**WEBSTER, Mr. R. G., *St. Pancras, E.***

Government of Ireland Bill, Com. 489  
Hull Dock Strike, 66  
Lee-Metford Rifle, 1369  
Licensed Premises (Display of Flags, &c.) Bill, Intro. 1691  
New South Wales Currency, 190  
Supply  
House of Lords Offices, 1490  
Houses of Parliament Buildings, 228  
Ordnance Survey, 1445, 1453  
Swaziland, Affairs in, 131

**WEDDERBURN, Sir W., *Banffshire***

Crofters' Holdings (Scotland) Acts Extension Bill, Intro. 836  
India  
Bombay Presidency Police Court, 1040  
Calcutta Small Cause Court—Appointment of Mr. Ormond, 639  
Supreme Legislative Council, 1039

**Weights and Measures Bill**

c. Con. in Com. *May* 16, 1154  
As amended, Con. *May* 17, 1212  
Read 3<sup>d</sup>. and passed *May* 18, 1355  
l. Read 1<sup>a</sup> *May* 30, 1528

**WEIR, Mr. J. G., *Ross and Cromarty***

Armenian Trials, 454  
British Honduras—Gold Standard, 323  
Civil Service Commission, 1269  
Crofters' Holdings (Scotland) Acts Amendment Bill, 2R. 1852  
Hampstead Sewer Gas, 778, 1359  
Lee-Metford Rifle, 638, 779, 911, 1261, 1369, 1769  
Local Government Board Auditors, 1368  
London and South Western Railway Bill, 3R. 441  
Manchester, Sheffield, and Lincolnshire Railway Bill, Con. 318, 320; 3R. 609  
Paymaster General's Office—Chief Clerk, 648  
Questions in the House, 1371, 1547  
Scotland  
Boys' Training Ships, 1755  
Deer Forests, Foxes in, 1263  
Education—Minute of Council, 1893; Res. 1150  
Fisheries  
Trawlers—Protection of Fishermen, 898, 1255  
Ullapool River—Action Against Fishermen, 1231  
Gairloch Medical Officer, 321  
Garve and Ullapool, Distress in, 56  
Invergordon Water Supply, 1751  
Lewis, Island of  
Fever in, 193  
Roads and Footpaths, &c., 69  
Portmahomack Harbour, 448

**WEIR, Mr. J. G.—cont.**

Ross-shire, Health of, 55  
Seaforth Highlanders, 1046  
Supply  
Roads and Footpaths in the Highlands, 1447  
Scotch Board of Supervision, &c. 1627  
Scotch Fisheries, &c. 1626  
Torpedo Contracts, 1755

**WEMYSS, Earl of**

Discharged Soldiers, Government Employment for, 1224  
Public Libraries Act Amendment Bill, 3R. 754, 767  
Sale of Intoxicating Liquors (Ireland) Bill, 2R. 178, 179, 183, 186, 189; Com. 1213, 1216

**WEST INDIES**

*Dominica, Disturbances in*, Q. Sir T. Esmonde; A. Mr. S. Buxton *May* 5, 198; Qs. Sir T. Esmonde, Mr. Tuite; As. Mr. S. Buxton *May* 11, 645; Q. Sir H. H. Vivian; A. Mr. S. Buxton *May* 19, 1365

**WESTMINSTER, Duke of**

Sale of Intoxicating Liquors (Ireland) Bill, 2R. 182

**WHARTON, Mr. J. L., *York, W.R., Ripon***

Magistracy—Appointment and Politics, Res. 270  
Vaccination—Calf Lymph, 334  
Weighing of Cattle, 1046

**WHITBREAD, Mr. S. H., *Beds., S.***

Closure, Application of—Personal Explanation, 729  
Government of Ireland Bill, Com. 566

**WHITEHEAD, Sir J., *Leicester***

Manchester, Sheffield, and Lincolnshire Railway Bill, Con. 319  
Railway Rates and Charges, 1045  
Select Committee, 928, 929, 1006, 1153

**WHITELAW, Mr. W., *Perth***

Scotland  
Education—Minute of Council, 1893, Res. 1148  
Garve and Ullapool, Distress in—Railway Scheme, 451, 452, 770  
Prisons  
Alleged Overcrowding, 339  
Inverness, 1250, 1539

**WHITMORE, Mr. C. A., *Chelsea***

Metropolitan Magistrates, 914  
Polytechnic for South London, 1424  
Supply—London Police Courts, 1289, 1291

**WICKHAM, Mr. W., *Hants, Petersfield***

Navy — Commissions for Distinguished Service, 1259

**Wild Birds Protection Bill**

*l.* Read 2<sup>a</sup>, and com. to Com. of the Whole House *June 1*, 1693

**WILLIAMS, Mr. P. J., Birmingham, S.**

Customs and Inland Revenue Bill, Com. 255  
Employers' Liability Bill, Appointment of Com. 225

Government of Ireland Bill, Com., *Clause II.* 1068, 1069, 1099

Hansard Union Prosecution, 902, 1245

Railways—Private Wagons, 1764

**Supply**

Birmingham Post Office, &c. 1395, 1400

London Police Courts, 1294, 1296, 1300

Rating of Government Property, &c. 1463, 1466, 1467

Science and Art Buildings, 1325, 1326

**WILLOX, Mr. J. A., Liverpool, Everton**

Clwyd, Dredging in, 1040, 1041

Liverpool Post Office, 452

**WILSON, Mr. J. Havelock, Middlesbrough**

Shipping Federation, Res. 81, 98, 108, 113, 114, 119

**WILSON, Mr. J., Lanark, Govan**

Magistracy—Appointments and Politics, Res. 269

**WODEHOUSE, Mr. E. R., Bath**

Natal—Responsible Government, Papers on, 785

**WOLMER, Viscount, Edinburgh, W.**

Government of Ireland Bill, Com., *Clause III.*

1569, 1579, 1641, 1645, 1646, 1648

Scotland—Education—Minute of Council, 1893, Res. 1150.

**Women's Suffrage Bill**

*l.* Pres. Lord Denman; Read 1<sup>a</sup> *May 30*, 1528

**WOODALL, Mr. W. (Financial Secretary to the War Office), Hanley****Army**

Frozen Meat, 195, 779

Lee-Metford Rifle, 1769

Pay Audits, 1770

Torpedoes—Contracts, 1759

**WOODS, Mr. S., Lancashire, Ince**

Mines (Eight Hours) Bill, 649

**Woods, Forests, and Land Revenues of the Crown**

*Quit-Rents, Claims for*, Q., Obs. Lord Morris, Lord Inchiquin, Lord Kensington, Marquess of Salisbury, Lord Herschell, Earl of Kimberley, Marquess of Waterford, Lord Leconfield, Lord Ashbourne, Lord Halsbury *May 15*, 887

**WORTLEY, Mr. C. B. STUART-, Sheffield, Hallam**

Fussell's Charity, South Wrexall, 343

Magistrates, Working-men, 921

Reformatory and Industrial School Inspectors' Staff, 1426

Statute Law Revision (No. 1) Bill, 2R. 1852

Vote on Account, 1163

**WRIGHTSON, Mr. T., Stockton-on-Tees**

Dynamite Explosion in Dublin, 343

**WYNDHAM, Mr. G., Dover**

Government of Ireland Bill, Com., *Clause I.*

369, 370; *Clause II.* 1183, 1184; *Clause*

*III.* 1824, 1825, 1830

**Zanzibar, The Seychelles, and the Mauritius Telegraph Cable**

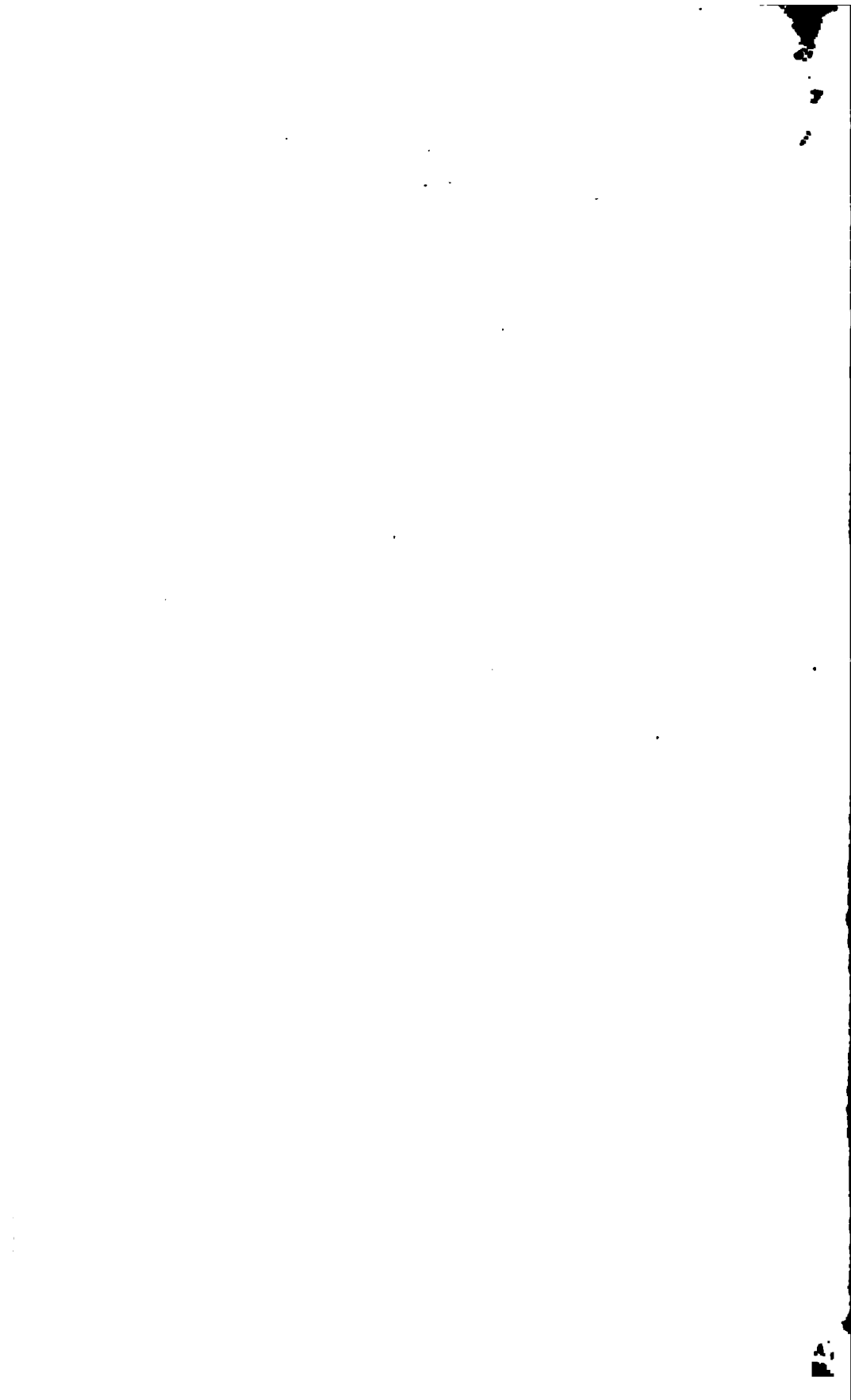
Res. That the Contract be approved (Sir J. T. Hibbert) *May 9*, 542

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END OF VOLUME XII., AND FIFTH VOLUME  
OF SESSION 1893.

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